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F.O.
424

FO 424/256

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1974

FURTHER CORRESPONDENCE

RESPECTING

TURKEY.

PART III.

JANUARY TO MARCH 1923.

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Further Correspondence respecting Turkey.

Part III.

[E 57/35/44] **No. 1.**

Mr. Henderson to the Marquess Curzon of Kedleston.—(Received January 1, 1923.)

(No. 1140.)

Constantinople, December 22, 1922.

My Lord,

IN an account of an interview published by a French journal a few days ago Dr. Adnan Bey was reported to have stated that the capital of Turkey in the future would certainly be somewhere in Anatolia.

2. In the course of my visit to Adnan Bey yesterday I asked him if this was a considered statement. He denied that he had been quite so categorical. What he had actually said was that it was very possible that Turkey would keep her capital in Asia. The question had not, he said, yet been definitely decided. Much depended on the nature of the guarantees for the security of the city as provided in the final Peace Treaty. With modern engines of warfare, Constantinople was no longer easily defensible. Turkey was not a sea Power like Great Britain.

3. I expressed the opinion that any abandonment of Constantinople as a capital could not fail to give the impression that Turkey was renouncing Europe and admitting the idea of the ultimate loss of Constantinople itself. I should have thought the Turks themselves would have hesitated before allowing such an impression to be created, since it was obvious who was a candidate for the succession.

4. Adnan Bey replied that there were many Turks who felt the force of that argument. It was, however, essential that the capital should not be exposed to immediate and facile attacks. For that reason and since Turkey had no navy, the present idea was to make Angora or some other inland town in Asia Minor the capital, and to build suitable accommodation there for foreign missions. He asserted, nevertheless, with some emphasis, that Turkey would be a European and not an Asiatic nation.

5. I was struck by the tone of real sadness with which Adnan Bey spoke. Whether intentionally or not I do not know, but he gave me a decided impression that he wished me to believe that Turkey was giving up Constantinople as her capital because she could not count on the British navy to assist her to protect it.

I have, &c.

NEVILE HENDERSON,
Acting High Commissioner.

[E 59/38/44] **No. 2.**

Mr. Henderson to the Marquess Curzon of Kedleston.—(Received January 1, 1923.)

(No. 1145.)

Constantinople, December 26, 1922.

My Lord,

WITH reference to my despatch No. 1104 of the 12th instant, I have the honour to inform your Lordship that Mgr. Kevork Arslanian, Bishop of Adana, was on the 20th December elected *locum tenens* of the Armenian Patriarchate in Constantinople.

2. As stated in my despatch under reference, very few members of the Lay Council remained in Constantinople, and before the election could take place new members had to be nominated to fill the vacancies. By this means a quorum was at last obtained in the Mixed Council, and it is understood that Mgr. Arslanian received fourteen votes against five cast in favour of other candidates. The result was immediately communicated to the Turkish authorities for their approval.

3. The new *locum tenens*, who is a native of the Erzinjan district, was a member of a well-to-do Armenian family. In early life he came to Constantinople and opened a factory for the manufacture of woollen goods. As a pioneer of industry he was decorated by Sultan Abdul Hamid II. His wife and children perished, however, in the Armenian massacres of 1895, and M. Arslanian, as he then was, decided to enter the Church. He has been acting bishop at Malatia, Kharput, Rodosto and Adana, but was only recently consecrated to the office of bishop by the Catholicos of Etchmiazin.

4. The Turkish press now expresses satisfaction at the election of a *locum tenens* who has been so long and so closely in touch with the Nationalist authorities in Anatolia.

I have, &c.
NEVILE HENDERSON,
Acting High Commissioner.

[E 60/35/44]

No. 3.

Mr. Henderson to the Marquess Curzon of Kedleston.—(Received January 1, 1923.)

(No. 1146.)
My Lord, *Constantinople, December 26, 1922.*

I HAD the honour, in my telegram No. 784 (to Lausanne No. 98) of the 24th instant, to give an account of the interviews which General Refet Pasha had with Lieutenant-General Sir Charles Harington and myself prior to his departure for Eastern Thrace.

2. Refet Pasha is, I think, sincere in one respect. He is really anxious for an understanding between Great Britain and Turkey. He dislikes the Russians, and fully appreciates the ultimate menace to Turkey from her northern neighbour. He regards England as the only country on whose support Turkey will eventually be obliged to count to resist that menace. He has consistently expressed the opinion that England will find it in her own interests to afford that support. He also regards England as the only country capable of assisting Turkey financially in her more immediate difficulties. He frankly admitted to me that this was the principal reason which induced him to preach, in spite of its unpopularity with most of his countrymen, the doctrine of the necessity of good relations with Great Britain. In this connection he has not concealed his irritation at the propaganda on behalf of Christian minorities in America, which, he fears, will render it difficult for Turkey to procure money from that country.

3. For the rest of the world he professes complete indifference. I warned him recently that the moment was approaching when Turkey would have to make up her mind to come down from the fence either on the side of Russia or on that of Great Britain and France. He asked me why I included France, who, he said, was bankrupt and therefore of no account, and who, he hinted, was no true friend of England's in the Near East. I told him that I was fully aware that certain French individuals were not above intriguing against British interests in this part of the world. That was perhaps inevitable, but it did not alter the principle on which British policy was based. France and Great Britain together had won the war against Germany and Turkey, and were going to win the peace together. I was myself an ardent supporter of and believer in the Anglo-French Alliance. I was convinced of its necessity for reconstructive purposes, and its durability in spite of occasional differences of opinion as to methods.

4. I considered it desirable for obvious reasons to be emphatic in this respect, and Refet Pasha did not pursue the matter any further.

I have, &c.
NEVILE HENDERSON,
Acting High Commissioner.

[E 13/1/44 No. .

Correspondence with Ismet Pasha respecting Mosul.

(1.)

Ismet Pasha to the Marquess Curzon of Kedleston.—(Received in Foreign Office January 1, 1923.)

Cher Lord Curzon, *Lausanne, le 29 décembre 1922.*

JE me vois dans l'obligation de répondre succinctement au mémorandum que votre Excellence a bien voulu me faire parvenir. Qu'il me soit permis de dire que ce mémorandum ne fait que renforcer les arguments que j'avais formulés pour démontrer les droits de la Turquie à la possession de Moussoul. On doit, en effet, reconnaitre qu'aucun de mes arguments n'y est réfuté. Jusqu'à présent, chacun de nous avait tâché de convaincre l'autre à l'aide de preuves basées sur le droit et la logique. Votre Excellence, en s'opposant à la continuation de ce système, reconnait implicitement qu'au point de vue du droit et de la logique notre thèse est inattaquable.

Votre Seigneurie voudra bien se souvenir que j'avais trouvé plus simple et plus pratique de travailler à nous convaincre mutuellement par des discussions orales, et que c'est votre Excellence qui a inauguré le système actuel, consistant à échanger des notes écrites dont chacune provoque une réponse.

À la fin de sa lettre, votre Excellence considère qu'aucun argument autre que le droit de conquête n'est valable; je suis prêt à confier, en toute conscience, cet argument ainsi que tous les précédents à l'appréciation de l'opinion mondiale. J'ai, d'ailleurs, spécifié dans mon mémorandum que même ce droit de conquête, qui se rapporte à des événements datant de quatre années et à des situations différentes de la situation présente, ne peut être invoqué au sujet de Moussoul. Je me trouve de la sorte avoir démontré que le dernier argument qui puisse être invoqué par le Gouvernement britannique pour réclamer Moussoul est sans fondement, étant donné que Moussoul fut occupé après l'armistice.

On connait les déclarations faites durant la guerre générale au sujet de l'affranchissement des Arabes de l'administration turque. Ces déclarations ont perdu toute valeur réelle aux yeux des peuples, à la suite des événements qui se sont déroulés depuis 1918.

Votre Excellence n'ignore certainement pas que tous les peuples veulent disposer eux-mêmes de leurs destinées et qu'il n'existe plus sur terre de nation sollicitant un protecteur ou un guide. Il ne reste non plus personne qui n'ait compris que les mots de "protection," de "guide dans la voie de la civilisation," &c., ne sont, aux mains des dominateurs, que des moyens pour absorber politiquement et économiquement les peuples conquis.

Que le Gouvernement britannique veuille bien laisser, un seul instant, libres et affranchis de toute occupation les habitants de l'Irak, auxquels, d'après les déclarations de votre Seigneurie, la libération a été promise; qu'il soit permis à ces populations de voter en toute indépendence au sujet des destinées de leur pays,—le résultat d'une pareille consultation ne saurait faire l'objet du moindre doute. On ne trouverait plus ainsi dans toutes ces contrées une seule personne voulant d'une occupation, d'un protectorat ou d'un mandat quelconque. Pour être dans le vrai, il faut avouer que les habitants de l'Irak montrent le plus grand empressement en vue d'unir de quelque façon que ce soit leurs destinées à celles des Turcs. Mais le Gouvernement de la grande Assemblée nationale, qui a pour principe fondamental de considérer les parties de l'Empire ottoman autres que la Turquie comme aussi libres et indépendantes que celle-ci, dans la détermination de leur propre sort, n'a jamais songé à exploiter l'attachement nourri par les Arabes à son égard. Nos revendications ne visent donc que les régions devant revenir à la Turquie. Quant aux pays restés en dehors de nos frontières, nous leur souhaitons l'indépendance et la prospérité.

Je désire également faire connaitre mon opinion au sujet du mandat britannique sur l'Irak dont votre Excellence parle dans son mémorandum. Non seulement la Turquie n'a pas reconnu en principe la nécessité d'un tel mandat, mais encore elle ignore entièrement son attribution à l'Angleterre. Il est en outre évident que les traités—qui, d'après les déclarations contenues dans la lettre de votre Excellence, auraient été conclus par le Gouvernement britannique au sujet de l'Irak, province

faisant encore, en droit, partie de l'Empire ottoman—ne peuvent être aucunement invoqués contre nous.

La question d'une autonomie administrative qui serait accordée par l'Angleterre aux Kurdes est brièvement traitée dans mon mémorandum.

La situation des personnes qui vivent dans notre patrie et qui jusqu'aux confins les plus reculés du pays participent, comme citoyens, à tous les droits et à toutes les responsabilités, ne peut être comparée à la situation des habitants d'une sorte de colonie où on leur ferait la grâce de leur octroyer une certaine liberté ou une certaine autonomie.

À cet instant où l'échange d'arguments au sujet de nos droits respectifs à la possession de Moussoul, auquel votre Excellence m'avait convié, prend fin à l'avantage de ma thèse, je considère avoir démontré combien étaient fondées les raisons que j'avais de déclarer que Moussoul fait partie intégrante de la Turquie. J'espère que votre Seigneurie me permettra d'affirmer à nouveau cette vérité.

Mes experts sont prêts à se rencontrer avec ceux que votre Excellence voudra bien désigner. Lorsque les frontières envisagées par les deux parties seront nettement établies sur la carte, les points de vue opposés apparaîtront plus clairement. Si cette clarté peut contribuer à obtenir une prompte solution de la question, tout sera pour le mieux.

Croyez, &c.
M. ISMET.

Enclosure in (1)

Memorandum.

LA lecture du mémorandum responsif remis par la délégation britannique donne la conviction que les arguments fournis par le mémorandum turc du 23 courant sont parfaitement logiques et fondés et qu'en plus ils sont suffisants pour établir les droits qu'a la Turquie à revendiquer le vilayet de Mossoul.

Nous jugeons utile de fournir les renseignements suivants au sujet de certaines parties du mémorandum britannique qui, d'ailleurs, sont la répétition des considérations déjà émises une première fois.

Considérations ethnographiques.

Les statistiques turques concernant le vilayet de Moussoul sont le résultat d'une étude approfondie et ont été établies avant la guerre générale, c'est-à-dire à une époque où il n'y avait aucun intérêt politique à fausser les chiffres donnant la proportion des différents éléments de la population et où, par suite des opérations de recrutement militaire, on était dans la nécessité de posséder des données exactes. Ces statistiques doivent donc être considérées comme les plus conformes à la réalité.

Tout le monde peut se rendre compte qu'un voyage de quelques fonctionnaires et officiers britanniques ne peut suffire à établir une statistique exacte; de plus, les fonctionnaires anglais n'ont pu jusqu'à présent pénétrer dans le sandjak de Suleymanié; les renseignements qu'ils pourraient fournir au sujet de ce sandjak sont donc encore plus sujets à caution que ceux relatifs au reste du vilayet de Mossoul.

Le nahié nommé Achairi-Sebaa ou Achairi Monhtélifé est uniquement peuplé de Turcs et de Kurdes. Ceux qui connaissent la langue turque n'hésiteront pas à reconnaître que ces deux mots composés sont des expressions pouvant être couramment employées en turc sans qu'on puisse prétendre que l'objet de leur application ait un rapport quelconque avec les Arabes.

Quant aux villages situés autour de Mossoul et portant des noms turcs, nous tenons à répéter que ce n'est pas seulement leur nom, mais encore leur population qui est turque; d'ailleurs, le mémorandum britannique du 14 courant reconnaissait également l'existence de villages turcs autour de Mossoul.

Le mémorandum turc du 23 décembre indique la façon dont les Arabes sont répartis dans le vilayet en question et donne des renseignements détaillés sur la population de la ville de Mossoul et de ses environs.

Ceux qui ont parcouru l'Anatolie savent qu'au point de vue des mœurs ainsi que des us et coutumes les Kurdes ne diffèrent en rien des Turcs; tout en parlant une

langue différente, ces deux éléments forment un seul bloc au point de vue de la race, de la foi et des mœurs.

Il est visible que nos déclarations relatives à l'origine touranienne du peuple kurde ont vivement étonné la délégation britannique; si l'on voulait bien se rapporter à l'article "Kurdistan" de l'"Encyclopédie britannique," on y trouverait des renseignements identiques à ceux fournis par nous.

Considérations d'ordre politique.

Il est incontestable que les Kurdes et les Turcs, qui forment la majorité de la population du vilayet de Mossoul, n'ont cessé un seul instant de lutter de toutes leurs forces pour que leur province fasse partie des territoires placés sous l'administration du Gouvernement de la grande Assemblée nationale de Turquie; les proclamations des représentants britanniques en Irak et la conduite actuelle des troupes anglaises d'occupation envers cette population constituent à cet égard des preuves suffisantes.

En outre, les habitants du vilayet de Moussoul se sont adressés à la grande Assemblée nationale pour lui faire connaître leur décision irrévocable d'obtenir le retour de leur province à la Turquie et ont en même temps fait remarquer que le pays se trouvait sous l'occupation étrangère contrairement aux stipulations du Traité d'Armistice de 1918.

L'incident survenu à Bitlis en 1914 est le résultat des excitations de quelques consuls étrangers; il ne présente aucune importance et est d'ordre purement local. Le caractère de cet incident peut être mis en évidence par le fait que l'une des personnalités considérées comme compromises dans cette affaire se trouve actuellement membre de la grande Assemblée nationale. L'affaire de Dersim dont il est question dans le mémorandum britannique est de même nature.

Un incident local survenant pour une cause quelconque sur un point du territoire turc ne peut en aucune façon être interprété comme une preuve du désir de la population de cette localité de se séparer de la Turquie; de pareils faits se voient, d'ailleurs, partout.

Depuis des siècles, les Kurdes jouissent en Turquie, sous l'égide du Gouvernement turc, défenseur de la Turquie, de tous les droits de citoyens; ils n'ont jamais songé à considérer ce Gouvernement, auquel politiquement et socialement ils ont toujours collaboré en toute liberté, comme un Gouvernement étranger. Les colonies et dépendances des Puissances européennes sont privées du droit d'avoir des Députés au Parlement siégeant dans les capitales de ces Puissances, et leurs habitants ne jouissent pas des prérogatives que possèdent les citoyens de ces Etats.

Les prétendus droits n'impliquant pas la jouissance des droits de citoyens, octroyés aux populations des régions soi-disant autonomes, ne pourraient nullement satisfaire une race dominante comme la race kurde.

Il est certain que la population du vilayet de Mossoul ne désire en aucune manière participer au sort d'une population tombée au niveau d'un peuple colonisé, et les Kurdes ne consentiraient jamais à se séparer de leurs frères turcs, pour vivre dans un pays réduit à la situation de territoire autonome.

Pour réfuter la partie du mémorandum britannique parlant de l'attachement des Arabes à la Grande-Bretagne et au régime actuel existant en Irak, et pour montrer la valeur du plébiscite qui aurait été effectué dans ce pays, il nous suffira de rappeler le vaste soulèvement qui se produisit en Irak en 1920–1921 et la sanglante répression qui s'ensuivit et qui nécessita l'emploi de très grandes forces britanniques; le plébiscite précité eut lieu à la suite de cette répression et sous la menace des armées d'occupation: tout le monde conviendra qu'un vote obtenu dans de telles conditions ne présente aucune valeur

Considérations historiques.

Les liens unissant depuis onze siècles Mossoul à la Turquie ne peuvent en aucune façon disparaître par suite de la séparation forcée, imposée à ces deux pays, durant ces quatre dernières années.

Considérations économiques et géographiques.

Nous avions, en nous basant sur des conditions économiques et géographiques, soutenu que le vilayet de Mossoul était inséparable de l'Anatolie. Le mémorandum britannique n'affaiblit en aucune façon notre thèse

D'ailleurs, les faits montrent qu'à des époques encore toutes récentes, le

Gouvernement britannique ne considérait pas le vilayet de Mossoul comme faisant partie de l'Irak et envisageait la nécessité de séparer ces deux régions.

En effet :

1. L'accord franco-britannique de 1916 sépare Mossoul de l'Irak et le place dans la zone française.
2. Dans les demandes formulées en 1919 à l'instigation des Puissances alliées par Chérif Pacha, Mossoul est également séparé de l'Irak.

D'autre part, au point de vue du climat, le vilayet de Mossoul se trouve dans les mêmes conditions que l'Anatolie et diffère totalement de l'Irak.

Nous voudrions encore faire observer que si l'on adoptait le principe de l'annexion à un pays de toutes les régions qui pourvoient à ses besoins économiques, on serait dans l'obligation de modifier entièrement les frontières actuelles de tous les États et d'en tracer de nouvelles, en tenant compte de l'interdépendance économique des différents territoires. L'impossibilité d'appliquer un tel principe étant évident, l'argument employé dans le mémorandum britannique, au sujet de la nécessité d'annexer Mossoul à l'Irak en vue de satisfaire les besoins en céréales de Bagdad, tombe de lui-même.

Considérations stratégiques et Pacte national turc.

Le vilayet de Mossoul peuplé en majorité de Turcs et de Kurdes forme partie intégrante de notre patrie; il est évident, par suite de l'existence de cette majorité et de la situation de la province de Mossoul, que celui-ci doit faire en entier retour à la Turquie. La main-mise britannique sur ce pays n'est pas le résultat d'opérations militaires, car Mossoul tomba, comme beaucoup d'autres territoires turcs, sous l'occupation étrangère par suite des abus et des actes arbitraires qui furent commis dans l'application du Traité d'Armistice. Par conséquent, on ne peut se baser sur des opérations de guerre pour justifier ces occupations.

D'après la lettre de son Excellence Lord Curzon of Kedleston et le mémorandum britannique, on devrait reconnaître que le droit de conquête peut suffire à justifier l'annexion d'un territoire. Nous croyons devoir opposer à une pareille thèse la thèse contraire d'après laquelle les populations d'un pays ne doivent pas, contre leur gré, être transférées de la souveraineté d'un État à celle d'un autre État et nous croyons également devoir rappeler que, durant la guerre générale, ce principe fut celui des Alliés et hautement proclamé par M. le Président Wilson dans ses quatorze points qui devaient servir de base à la paix future.

Au résumé, on peut dire pour clore le débat, qu'il n'existe aucun argument logique qui puisse justifier la main-mise britannique sur Mossoul ou son annexion à l'Irak

Lausanne, le 29 décembre 1922.

2.

The Marquess Curzon of Kedleston to Ismet Pasha.

Dear Ismet Pasha, *Lausanne, December* 31, 1922.

IN thanking you for your final communication on the subject of Mosul, I rejoice to find that you agree with me in thinking that it is unnecessary further to pursue the discussion. I may be permitted to remind you, however, that it was for the convenience of the Turkish delegation that, in our first conversation on the subject, I stated my willingness to forward to you on paper the considerations which led the British Government to contest the various theses which you then advanced in favour of the Turkish case.

I am quite willing at any time, and shall probably decide before long, to take up the question of the frontiers of Syria and Irak at a meeting of the Territorial Commission, over which I have the honour to preside. It was, as you well remember, in deference to your own express wish that I postponed the discussion on a previous occasion. I shall then be prepared to state in public the reasons which render it

impossible for my Government to accept the claim which has been put forward by the Turkish delegation.

In the meantime I learn with pleasure that you accept my proposal for a meeting of our respective experts to consider the northern frontier of the State of Irak: and on my return from Paris early this week I hope to place my representatives at your disposal.

Yours, &c.
CURZON OF KEDLESTON.

[E 15/15/44] No. 5.

Board of Trade to Foreign Office.—(Received January 1, 1923.)

Sir, *Board of Trade, December* 29, 1922.

WITH reference to your letter of the 22nd December regarding the shipment of war material to Greece or Turkey, I am directed by the Board of Trade to state, for the information of the Marquess Curzon of Kedleston, that instructions have been issued in this Department that no licences for the export of warlike material to either Greece or Turkey are to be granted as from the 1st January, 1923.

Copies of this letter are being sent to the Admiralty, Air Ministry, War Office and the Disposals Board.

I am, &c.
J. J. WILLS.

No. 6.

The Marquess Curzon of Kedleston to Sir Eyre Crowe.—(Received January 1, 1923.)

By Bag.

(No. 167.)
(Telegraphic.) *Lausanne, December* 30, 1922.

SUB-COMMITTEES continue to meet and are drawing near to end of such questions as minorities and exchange of populations. On my return from Paris next week I shall take their reports in Main Commission. Question of Capitulations is also in abeyance pending the production of some Turkish counter-proposal which is said to be in incubation. French decline to proceed with financial questions, which have also come to a standstill in sub-committees, hoping, I believe, to have a private deal with the Turks on the matter. It is in this light that I interpret a sudden proposal of the French Government, in connivance with M. Barrère, to send the French High Commissioner, General Pellé, on an urgent mission from Constantinople to Angora, accompanied by one of their financial experts here. I have dissuaded this proposal, as also does my Italian colleague, because I am convinced that it is designed must less in the interests of a general peace than of the private concerns of the French, about which they are intensely disturbed, and because I think that for a French High Commission to gallop off to Angora at this moment could only encourage idea that we are suppliants at feet of Turkey.

Should a really serious rupture impend later on there might be more to be said for the suggestion.

I have been very much concerned at quite unnecessary and unfortunate publicity given to the recall of the ships from Malta. The more their departure had been explained as due to routine movements the less justification was there for exploiting their return as a political move of first importance. If it had been made as a matter of course, its full significance would have been sufficiently realised by Turks upon reappearance of vessels in Turkish waters.

No. 7.

Mr. Henderson to Sir Eyre Crowe.—(Received January 1, 1923.)

(No. 798.)
(Telegraphic.) *Constantinople, December 31, 1922.*

I NOTICE in Turkish press recrudescence of expression of pro-French sympathies, and generally speaking there is evidence of redoubled efforts to produce split in Allied front.

I am informed, for instance, though I cannot guarantee absolute accuracy, that Adnan had in conversation yesterday with Acting American High Commissioner strongly urged that United States should take opportunity of concluding immediate and separate peace with Turkey, price being first pick of all concessions. Acting High Commissioner gave appropriate answer, but attempt at seduction, though clumsy, was symptomatic.

These efforts are, in my opinion, encouraging as tending to belief that Turkey would not go to extreme lengths if it were made clear to her that Allied unity is real and not bounded by point at which action must be taken. Turks are still convinced that neither France nor Italy will ever fight, and I am aware that Adnan at any rate considers British attitude to be bluff.

(Sent to Lord Curzon, No. 118.)

No. 8.

Mr. Bentinck to the Marquess Curzon of Kedleston.—(Received January 1.)

(No. 1.)
(Telegraphic.) R. *Athens, January 1, 1923.*

MY telegram No. 764.

Minister for Foreign Affairs accompanied Colonel Plastiras to Salonica, it is said in connection with Serbian zone (see my despatch No. 722).

Colonel Plastiras made statement to press that Greece had sacrificed Eastern Thrace for the sake of peace, but she would not accept a peace which in any way affected sovereign rights of Greece to present territorial *status quo*. He especially emphasised that no peace which entailed departure from Constantinople of Patriarch and Greek population would be acceptable. Greece, he added, would put up with no further loss or humiliation.

Semi-official statement published in press yesterday contradicts rumours which had been circulating regarding contemplated surprise action in Thrace. Greece has no intention of going to war alone against Turkey, and only in the event of general conflict between Allies and Turkey would she participate, in which case she would have moral and material support of all Allies. It adds that there is no sign of this occurring in very near future.

No. 9.

Mr. Bentinck to Sir Eyre Crowe.—(Received January 1.)

(No. 3.)
(Telegraphic.) R. *Athens, January 1, 1923.*

ITALIAN Chargé d'Affaires has shown me confidentially text of telegram from Italian consul-general at Smyrna stating that Angora have issued preparatory orders for recall of tenth class of demobilised troops so as to permit joining former bases as soon as possible.

Instructions have been sent to aviators to prepare, and seven aeroplanes have left already for neighbourhood of Mosul.

(Repeated to Lord Curzon, Constantinople and Bagdad.)

[E 83/1/44] No. 10.

Lausanne Conference on Near Eastern Affairs.

(Strictly Confidential.)

TERRITORIAL AND MILITARY COMMISSION.

Draft Minutes of the Thirteenth Meeting, December 12, 1922, at 4 P.M., under the presidency of Lord Curzon.—(Received in Foreign Office, January 2, 1923.)

Present:

BRITISH EMPIRE.	FRANCE.	ITALY.
The Marquess Curzon of Kedleston.	M. Barrère.	Marquis Garroni.
Sir H. Rumbold.	M. Bompard.	M. Montagna.

UNITED STATES OF AMERICA.	JAPAN.	GREECE.
Mr. Child.	Baron Hayashi.	M. Veniselos.
Admiral Bristol.	M. Otchiai.	M. Caclamanos.
Mr. Grew.		

ROUMANIA.	SERB-CROAT-SLOVENE STATE.	TURKEY.
M. Duca.	M. Spalaikovitch.	Ismet Pasha.
M. Diamandy.	M. Rakitch.	Riza Nour Bey.
		Hassan Bey.

Also present:

BRITISH EMPIRE.	FRANCE.	ITALY.
Sir W. Tyrrell.	M. de Lacroix.	M. Arlotta.
Mr. Lindley.	M. Laporte.	M. Guariglia.
Mr. Ryan.	M. Bargeton.	
Mr. Nicolson.	M. de Percin.	
Mr. Forbes Adam.	M. Barois.	
Mr. Leeper.		
Mr. McClure.		

UNITED STATES OF AMERICA.	JAPAN.	GREECE.
Mr. Amory.	Mr. Sato.	General Mazarakis.
Mr. Dwight.	Mr. Tani.	M. Dendramis.
Dr. Blur.		M. Politis.
Mr. Heck.		M. Michalopoulos.
Mr. Gillespie.		

ROUMANIA.	SERB-CROAT-SLOVENE STATE.	TURKEY.
Colonel Dumitresco.	M. Antitch.	Munir Bey.
	M. Hitch.	Moukhtar Bey.
		Tevfik Bey.

Secretariat-General.

M. Massigli, *Secretary-General of the Conference.*

British Empire.	France.	Italy.
Mr. Spring-Rice. Mr. Wicks.	M. Lagarde.	M. Indelli.
United States of America.	**Japan.**	**Greece.**
Mr. Belin.	Mr. Hotta.	M. Collas.
Roumania.	**Serb-Croat-Slovene State.**	**Turkey.**
M. Constantinesco.	M. Milanovitch.	Rechid Safvet Bey.

Interpreter: Lieutenant-Colonel Heywood.

LORD CURZON proposed to begin the discussion on the question of the protection of minorities by making a general exposition of the case on behalf of the Allied Powers. In view of the importance of the issue, he had placed his views on paper, and, in order to save time, he would have the following speech read out at once in French by the interpreter :—

"Under the arrangement so kindly proposed on a previous occasion by the Marquis Garroni, I now invite the conference to approach the question of the protection of minorities. I need hardly remind the commission that this is a subject which excites the deepest interest throughout the civilised world. That a minority existing under an alien rule, in conditions which are often harassing and difficult, more especially when differences of religion as well as race are involved, should receive adequate guarantees for its secure and orderly existence is a principle which none will deny and which has found a place in a large number of the European treaties concluded since the war. Further, that this principle should be embodied in the treaty which we hope to conclude will not be disputed by any of the parties concerned. It is required by the public pledges which have been given by the majority of the Governments and parties concerned, and it is also demanded by the exigencies of the case, seeing that we take up the problem at the end of a war which has aroused bitter passions, has been attended by a terrible destruction of human life among some of the minorities most directly affected, and is even now being followed by a violent dislocation of large ethnic groups which cannot fail to be productive of much suffering. The relations between some of these communities in the Turkish Empire and the Central Government have been difficult and bloodstained where the communities were numerically powerful. They are likely to be more delicate and to call for more effective protection when the minorities are weak and scattered.

"I invite the Turkish and Greek delegations to realise that the eyes of the world are upon us as we discuss this question, and that, according as it is settled in an equitable and reasonable spirit or the reverse, so shall we and they be judged.

"In these general observations I have made no allusion to one minority rather than to another, though I might easily have done so, and I willingly make the admission that if Christian minorities are to be protected in Asia or elsewhere, so also are Moslem minorities entitled to protection in Europe. One religion and one race is not more entitled to security than another.

"Let me briefly record the history of the case. One of the objects which the Allies set before themselves when they were involved in war was the protection and, where possible, the liberation of the Christian minorities existing in large numbers in Asia Minor. Particularly was this the case with regard to Armenia, the pledges about which have been often repeated and are well known. Indeed, those pledges may be said to have dated from the Berlin Treaty nearly half a century ago. When the recent war was concluded and the League of Nations was instituted, the League was charged with the supervision of the minority clauses in the European treaties, for instance, those with Poland, Roumania, Jugoslavia, Czechoslovakia, Austria, Hungary and Bulgaria. Later on, when the Treaty of Sèvres was drawn up, a large number of articles were devoted to the special question of the protection of minorities.

"Further, on more than one occasion the Council and also the Assembly of the League of Nations have expressed their entire readiness to co-operate with the Powers in carrying out this object. Thus there has been a consensus of opinion that action was required and of willingness to provide the necessary mechanism.

"When the Paris Conference took place in March 1922, between M. Poincaré, Signor Schanzer and myself, we again went into the matter very closely, and we arrived at an agreement which was to be submitted to the Turkish Government, had the meeting which was intended to conclude an armistice and to stop hostilities in Asia Minor been held. We proposed to take the various provisions that were contained in Turkish law and in the recent European treaties, and to incorporate them in the new treaty of peace. The League of Nations was to provide the guarantees and to supervise their execution.

"Meanwhile, the Turkish Government had itself in the declaration of the 17th February, 1920, declared its acceptance of the basic principle that the rights of minorities should be confirmed and assured.

"Thus we are brought to the Paris note of the 23rd September last, which has resulted in this meeting at Lausanne, and in which the inviting Powers laid down that one of the conditions under which they would support the return of Eastern Thrace up to the Maritza River to Turkey at this conference should be the adoption of measures by common agreement in the treaty to ensure effectively under the auspices of the League of Nations the protection of racial and religious minorities. Eastern Thrace has since been restored to Turkey. She is now called upon to fulfil the corresponding obligation.

"Finally, in their reply of the 4th October, the Angora Government employed the following terms :—

> "'The liberty of the Straits on the condition of assuring the security of Constantinople and of the Sea of Marmora, as well as the safeguarding of the rights of minorities in the limits in which it is compatible with the independence and the sovereignty of Turkey, and with the exigencies of the effective pacification of the East, being equally desired by Turkey, there is no difference of principle between us.'

"Thus, ever since the termination of the war there has been an agreement in principle between the Allied Powers and Turkey—

"(*a.*) That minorities have a right to protection.

"(*b.*) That the treaty of peace must contain special provisions to that effect.

"On the side of the Powers there has been a general disposition to think that the League of Nations is the body best qualified, by its impartial and representative character and by its high moral authority, to collaborate in the execution or supervision of such measures, and it was for this reason that mention of it was deliberately included in the Paris note of the 23rd September last.

"Of course, the question whether it is the best qualified body for the purpose or whether any other organisation is preferable or can be devised remains open for discussion here. But it has certainly throughout been the hope of the European Powers that, when once peace is concluded, Turkey would apply for, and receive, admission to the League of Nations; and that in that way she would obtain a direct and immediate and practical voice in the administration of the clauses relating to minorities, whether they are Christian minorities in Anatolia or Moslem minorities in Europe. I invite the Turkish delegation to consider very seriously whether they will not be greatly the gainers, both in this and in other respects, by such an arrangement, and not lightly to reject it because they have so far not had experience of any such international concert.

"I now come to the question of the minorities with which we have to deal.

"The question has been to a certain extent simplified, though I for one much regret the simplification, by the great transference of populations that is now going on as the result of the war. The total number of Christians who have been expatriated from Turkey during the last three to four months is variously estimated at from 600,000 to 900,000 persons, the bulk of whom have fled to Greece and become a charge on the Greek Government. These, therefore, have to be deducted from the minorities remaining under Ottoman rule. I sometimes wonder if the Turkish Government have at all fully considered the economic results of this gigantic transference of peoples, to which there is no parallel in modern history, and by which

I expect that in many cases Turkey will lose much more than she gains. However, it leaves us in this situation :—

" Firstly, as regards the Moslem minorities :

" In Europe the greater part, if not the whole, of the Turkish population in Greek territory, with the exception of Western Thrace, will cease to be a minority population because they will return to Turkey. They are estimated at about 350,000 persons.

" The exception, as I have said, will be the 124,000 Turks in Western Thrace whom the Greek Government is prepared to leave alone if the Greek population of Constantinople is also left undisturbed. In that case the minority provisions will apply to the Turkish population. If no such arrangement can be arrived at, then they also will be turned out, and there will be no Turkish population in Western Thrace for whom provision will be required. The matter is now being investigated by a sub-commission under the able chairmanship of Signor Montagna, at which I understand considerable progress has been made, and as to which I strongly urge the Turkish delegation in their own interest to adopt a reasonable attitude. Upon its decision will depend the question of the size and importance and degree of protection required for the remaining Greek population in Constantinople. I believe that its present numbers are between 350,000 and 400,000, although their number is being diminished weekly by flight and expulsion.

" There is also the Armenian minority population of Constantinople, estimated at the present time at 130,000 persons, to whom I shall revert.

" If we turn to Asia Minor, the exchange of populations which is now being carried out, and which, as I have said, in many respects I greatly deplore, will result in the almost complete disappearance of the Greek population from Anatolia, though there will, I suppose, remain the reconciled Ottoman Greeks, numbered at about 50,000 persons.

" There is also the important group of Nestorian or Assyrian Christians in different parts of the Kurdish mountains and on the Turco-Persian border. A deep interest is taken in the fortunes of these people, particularly in Great Britain, France and America, and they suffered terribly in the havoc and ruin of the recent war. In so far as they are now settled within the borders of British influence they are assured of our friendly interest and protection. Wherever they may be found in Turkish territory, we must insist upon adequate measures being taken to safeguard their religion, their industry and their life.

" There will also remain scattered communities of Jews and other small groups.

" I pass to the Armenians. Their case is deserving of special consideration, not merely because of the cruel sufferings which they have endured for generations, and which have excited the sympathy and horror of the civilised world, but because of the special pledges which have been made with regard to their future. In the old Russian province of Erivan, now a Soviet Republic, exists a so-called Armenian State numbering, I am told, about 1¼ million persons, but already so crowded with refugees of every description that it cannot admit a larger population.

" For the rest, the Armenian population of Kars and Ardahan, of Van, Bitlis and Erzeroum, has pretty well disappeared. When the French evacuated Cilicia, the Armenian population of that province followed panic-stricken in their wake, and is now strewn in the towns of Alexandretta, Aleppo, Beirout and the Syrian border. There only remain, I believe, about 130,000 Armenians in Turkish Asiatic territory out of a population which once numbered over 3 millions. Hundreds of thousands of them are scattered about as refugees in the Caucasus, Russia, Persia and adjacent countries.

" I have been informed since coming to Lausanne that the Angora Government, persuaded that they will be the sufferers if they lose the services of this capable and intelligent race, are disposed to encourage the Armenians to return and settle again in Anatolia. I think it will be greatly to their advantage to do so, and I shall be glad to hear from the Turkish delegation some assurances on this point. In any case there will remain in Asia Minor as well as in Europe a very considerable Armenian population in the future Turkish State, for whose security and protection minority provisions in the treaty will be called for.

" At this stage I must allude to the well-known demand which has been put forward both by the Armenians and their friends in all parts of the world for the creation of an Armenian national home. It is not unnatural that a people with so strong an individuality, so remarkable, if tragic, a history, and so pronounced a national spirit should aspire to a habitation of their own. If it be replied that they already possess it in the Erivan Republic, the answer must be returned that that area is already

poverty-stricken and over-stocked, and that the form of government there set up is distasteful to many Armenians.

" Thus it arises that the petition is made, and has frequently been reiterated, that Turkey should find for the Armenians in some portion of her Asiatic territory, whether in her north-eastern provinces or on the south-eastern borders of Cilicia and Syria, the place of retreat and concentration which they desire.

" Circumstances may have rendered the fulfilment of this hope more difficult than it once was. But we shall be glad to hear the views of the Turkish delegation on the subject.

" It remains for me to consider the safeguards that will be required for t minorities that remain both in Turkey and Greece.

" Firstly, there are the specific guarantees, on the general lines of those contained in the European treaties, supplemented by some others which it will not be difficult to suggest. Secondly, there are certain measures connected with the present situation which the Allied Powers feel it to be their duty to recommend.

" (*a.*) Both the Turkish and Greek Governments should be invited to proclaim a general amnesty of a very comprehensive character for all offences, including common law offences, arising out of the events of the last nine years.

" (*b.*) Christians in Turkey and Moslems in Western Thrace should have the right of compounding for military service by payment of a reasonable fixed tax. This is a necessary safeguard against what might otherwise become a powerful engine of persecution and oppression.

" (*c.*) Freedom of movement in the country and freedom to leave should be assured equally to Christians remaining in Turkey and to Moslems remaining in Western Thrace, such freedom not to be accompanied by measures affecting their property and other rights.

" (*d.*) There remains another provision which my colleagues and I believe to be essential to the proper and efficient working of these guarantees both in Turkey and in Greece. We think that some body should be set up at Constantinople and at a suitable place in Greece to superintend the application of these measures. I am disposed to think that the League of Nations would be the best body to be entrusted with this task, the more so if Turkey were to become a member ; and this question must be very carefully examined. But if some other board or body is proposed and preferred, let us by all means consider any such suggestion. It should have the power to depute one or more of its members to proceed from time to time to the places where the minorities reside, whether in Europe or in Asia, and to enquire into grievances and to see that the clauses of the treaty are being faithfully observed. Such persons should have access to the Turkish and Greek authorities in the areas in question.

" I have now given in rough outline a sketch of the problem with which we have to deal, and have indicated the manner in which, in the view of the Allied Powers, it might properly be approached. I invite this conference, and the Turkish delegation in particular, to consider these suggestions, which are conceived in a spirit of the strictest equity and fairness, with the favourable attention that is merited by the importance of the subject ; and I once more repeat that there are millions of people in all parts of the world who will judge of our labours here very largely by the way in which we handle and dispose of this problem.

" I suggest that we set up a sub-commission to examine the details and to submit formal propositions."

M. BARRÈRE made the following speech :—

" His Excellency Lord Curzon has just expressed in language of the highest eloquence sentiments which, I feel sure, are unanimously shared by the delegates of all the countries represented at this conference. These sentiments lie at the very root of all that is deepest, broadest, most natural and most generous in the conscience of mankind. Were we not obliged to make rapid progress towards solution of the problems before us, every one of us would wish to give full expression to his feelings and thoughts on this occasion.

" When studying the other questions on its programme, and, in particular, that of freedom in maritime relations between all nations, the guiding thought of the First Commission has been to place general interests above everything, and it has never failed to maintain the highest point of view in its discussions. The question approached by the conference to-day is in certain respects connected with the material

state of that part of the world which is the object of our care. But first and foremost it belongs to a domain of things which is the common property of all mankind, a domain where it is honourable and right that everyone should make his voice heard and contribute his share of co-operation.

"I wished to begin my remarks by endorsing the words of our president, because the country which I represent here has always—ever since the remotest times—regarded herself as in honour bound to place her influence at the service of a cause in which, although one encounters nothing but good-will on all sides (of this I am sure), events and special circumstances have multiplied the difficulties to be overcome.

"It is, however most encouraging for us to observe that the efforts made by France during several centuries to better the lot of all the peoples of the East have always been compatible with most friendly relations with the Ottoman Government. As the number of nations in close and direct contact with the East has gradually increased, this spirit of harmony has never flagged, and so I am convinced that in the work which we are taking in hand to-day the Turkish delegation will extend to us that complete and enlightened co-operation which we expect of them.

"The Turkish people is now endeavouring to develop itself as a nation, and displays a desire to regulate its life in accordance with the most modern and liberal principles. We therefore have strong reasons for hoping that satisfactory conditions of life may be granted to the populations which form, together with the Turkish people, a homogeneous political community.

"The principles which we are glad to see invoked by modern Turkey should in practice ensure to religious, linguistic and racial minorities that security, liberty and equality of rights which are the common property of all the inhabitants of a particular country.

"Can we doubt, moreover, that Turkey appreciates the true value of the economic and moral strength which she has hitherto derived from these minorities? At a time when commercial, industrial and agricultural activity is so necessary to every country for repairing damages due to a long series of wars and for exploiting undeveloped wealth, can we believe that the Turkish Government will fail to recognise how vitally important it is for it to preserve certain educated, industrious and hard-working elements of the population and enable them to exercise their full activity?

"We are convinced that Turkey will fulfil our expectations and that the Turkish delegation, who have on many occasions shown a clear understanding of present necessities, will facilitate our task with all their power. Among the various peoples of the East, the Turkish people is determined to assert its independent political existence, to reconcile all the requirements of progress with its own national tradition, which is so individual and strong, and to preserve and develop its own civilisation. I feel sure that the Turkish representatives at this conference will duly appreciate the sympathy and force with which all the countries represented here make this appeal. They will also doubtless understand the appeal of the French delegation—an appeal made in the name of a country which has always striven (with many other countries, I am glad to say, but not less than any one of them) for the triumph of humanity, justice and liberty. In the vast and diverse regions over which her political activities have spread, France has always taken scrupulous care to respect all forms of thought, religion and civilisation, however various and however different from her own tradition, and to permit their full development.

"In the statement which I have made to you I have purposely abstained from naming any people among those entitled to the protection of all the Powers, who regard it as a sacred duty to respect their existence, their material and moral interests and their right to be treated on a footing of equality with all citizens of the Turkish Empire. I regard them all as equally deserving of the great interest which they arouse in us.

"Nevertheless, it is no violation of these principles to observe that while we demand equitable treatment for all minorities without distinction as regards race, we are much concerned to obtain that treatment for the Armenians of Turkish nationality, who endured such great losses and such bitter suffering during the war."

MARQUIS GARRONI spoke as follows:—

"I associate myself with the wise remarks and recommendations of our distinguished president. We must do our best to arrive at practical results which will enable the peoples of different races and religions to live together and contribute their share to the progress of the countries where they live.

"There is no need to recall the reasons why the tranquillity of those regions has repeatedly been disturbed. Unfortunately the last period of war, which has lasted

a long time, has embittered the struggle; and to-day, after long years of war, we must curb the violence of passion and prevent further atrocities and vengeance. We must proceed on principles of tolerance, equity and justice, and forget the past. The spirit of reaction and violence must be replaced by the spirit of mutual respect and common interest. We must rise superior to all the misery and calamities of recent times. We must bend our thoughts to putting an end to the sufferings of the poor people who have borne the brunt of these grievous events and now have greater need than ever for repose, tranquillity and peace.

"I have no doubt that the truce of arms will be followed by a truce of passions. I rejoice in the hope that with the goodwill of all we shall gradually be able to create a situation in which the various elements can live together in peace. Turkey and her people will be the gainers, because they will thus be able to accomplish the progress on which the Angora National Government is bent.

"Let us therefore afford real protection to these minorities, to these poor Moslem, Greek or Armenian peoples, whether they live on Turkish or on Greek soil. In protecting these populations we are defending those principles of civilisation which lie in the minds of all—principles which we must try to instil even more into the hearts than into the minds of men."

ISMET PASHA read the following statement (for text see annex).

LORD CURZON said that the delegates had hitherto regarded Ismet Pasha as a successful general and a capable diplomat; he had that afternoon shown them that he was also a professor of history, and had given them a long lecture on Turkish history from the days of Mahommed the Conqueror to the present time. He had expatiated on the liberal sentiments of that monarch. He (Lord Curzon) wished he could have found in Ismet Pasha's speech an indication that the present Turkish Government was animated by the same spirit. Ismet Pasha had given copious extracts from histories, encyclopædias and official publications, French, English and American, in support of his theme. At one moment Ismet Pasha appeared to be quoting Lord Curzon himself, but it turned out that the passage was taken from a book dedicated to Lord Curzon by an old schoolmaster of his. He (Lord Curzon) would not follow Ismet Pasha into his history; much of it was interesting, but all of it was entirely irrelevant to the problem under discussion. If any delegate wished to compose an historical essay in future, it had better be circulated in advance so that the delegates might read it for themselves.

What was the position? The conference was assembled to deal, not with the past, but with the present and the future: to consider the state of the distressed minority populations in certain parts of Europe and Asia; to prepare a treaty which would contain sufficient guarantees for the prevention of injustice and provide for the maintenance of security and order. In his own remarks he had examined the situation with the utmost care, and, he hoped, with equity. He had stated the dimensions of the problem, named the various minorities to be dealt with, and made definite suggestions for the amelioration of their lot. On all these subjects Ismet Pasha had not a word to say. Three features stood out in the final part of his speech. Firstly, he indulged in a very pointed disquisition at the expense of the Armenians, with whom, after all, the Turks had to live in amity in the future. Secondly, he spoke in most uncomplimentary terms of the League of Nations, a body more capable of affording help and protection to Turkey than any other existing association, a body which he (Lord Curzon) had recommended to Ismet Pasha's notice in the course of his previous speech. Thirdly, Ismet Pasha said that the question could best be solved by the exchange of populations. That was not so. They would never solve the question if they approached it in that spirit. Even when every possible exchange of populations had been made, some minorities would always remain behind. He implored Ismet Pasha and the Turkish Government to approach the vital question in a humane spirit. As he had said in his previous speech, the whole world had its eyes fixed on the conference room. If Ismet Pasha's speech were circulated to the world, there would be a very great disappointment. Earlier in the day he had sent to the delegates, including the Turkish delegates, a copy of the remarks which he was about to make. A secretary of the Turkish delegation told him, just before the meeting, that his delegation had not had sufficient time to translate or study this paper; they therefore proposed to postpone their reply—a reasonable request to which he had readily agreed. The commission might judge, therefore, of his surprise when, on the contrary, the chief of the Turkish delegation proceeded to read a long paper, carefully prepared in advance, of the nature just described. He confessed he was bitterly disappointed.

What was to be done? He had proposed setting up a sub-commission to deal with this question; but before that sub-commission met it was important to know the views of the Turkish delegation on the problem put before them and the suggestions made by him. He still hoped to hear those views, and would much regret if the sole contribution of the Turkish delegation to the discussion was to be the speech just delivered. He suggested that the other delegations should now speak on the general question, and that the commission should meet again next day in order to hear the Turkish reply to his proposals. They would then be in a better position to know whether it was worth while to set up a sub-commission.

M. VENISELOS made the following speech:—

"In response to the invitation addressed by our president to the Turkish and Greek delegations, I hasten to state, in the name of the latter, that we share the views expressed by Lord Curzon, and accept his carefully thought-out proposals as the basis of the work to be entrusted to a sub-commission.

"I feel bound to recall the fact that the solution of this supremely important problem has always seemed to me to be greatly facilitated by article 5 of the National Pact of Angora, which runs as follows:—

"The rights of minorities will be guaranteed by us in accordance with the same principles as those adopted by the Allied and Associated Governments when dealing with some of their adversaries, &c.

I venture to observe that the provisions which the Allied and Associated Powers felt bound to insert in the various treaties of peace concluded after the great war were not imposed for the most part upon adversaries, but chiefly on States which had fought on the Allied side. This proves that these terms are not inspired by a feeling of hostility, but by concern for general interests closely connected with the special interests of the States to which these provisions apply.

"Moreover, I think it my duty to state that the Greek Government is quite ready to grant to Moslems resident in Greece exactly the same guarantees as those which will be granted to minorities in Turkey.

"Unfortunately the declarations made to-day by Ismet Pasha are somewhat disappointing.

"The exchange of populations is not, as Ismet Pasha believes, a means of settling the question of minorities. If this procedure were to be definitely adopted there would, nevertheless, remain in Turkey after its application elements of foreign nationality which would constitute ethnical minorities. Moreover, an exchange of populations of the kind contemplated by the Ottoman delegation cannot be regarded as humane. When 1,600,000 Greeks are expelled to make room for 350,000 Turks it is not a fair exchange of populations.

"Ismet Pasha has tried to persuade the Powers that they should cease to take an interest in the fate of the minorities in Turkey to whom, according to him, Ottoman legislation offers sufficient guarantees. But Turkey cannot claim a privileged position in this respect as compared with all the Powers which have undertaken international engagements for the protection of minorities. The Ottoman delegation would thus disown a principle openly accepted by the Angora Assembly on condition of reciprocity. It is also worthy of note that the Powers, when they invited Turkey to cease hostilities and promised to restore Eastern Thrace to her by their note of the 23rd September, laid down as a condition that special guarantees should be given for the protection of minorities in Turkey."

Mr. CHILD spoke as follows:

"The American representatives intend to hold aloof from affairs not our own, but humanitarian interest is as much our right and our duty as it is the right and duty of every nation.

"We claim no particular right to be heard upon the subjects of refugees, the protection of populations and the finding of homes for those who are disloiged; instead of doing so, we assert that other nations, and particularly those represented at this table have an equal interest and an equal duty. Because it was upon her territory that the misfortune of war fell, and from her territory that the greatest number of refugees come, Turkey may have an interest in these humanitarian questions greater than that of any of us

"It is unthinkable that the aspirations of Turkey for independence, for progress, should not rely in part upon a generous policy of contribution to the safety and relief from suffering of mankind. The safety and relief from suffering of mankind is one of the principal concerns of Governments

"The comfort and safety and settlement of the hundreds of thousands of human beings, most of them non-belligerents, many of them women and children, many dislodged for ever from their homes by the disturbances in the Near East, is a matter which has for the people of the United States a vital interest.

"As an earnest of that interest our nationals have spent freely in the quarter of the world with which this conference is dealing, in medical attention, in the service of our naval forces, in feeding starving people and in other forms of relief, large sums of money. We have put nearly 75 millions of dollars into this work through one committee alone. The people of my country ask no return for this expenditure unless it be assurance that this conference to the full extent of its power will find means to wipe away at once the causes for this waste of human life and human suffering.

"It is useless for me to restate the problem. It is useless to give more statistics. The facts are recognised by everyone. They rebuke the world. They challenge the self-respect of civilisation. They are so stupendous that pity for individuals is lost in pity for masses. The work to be done may include any wise exchange of nationals so that as one of the results males may go back to their families and support them on their native soils. It includes the safety of other racial elements fleeing under the stress of fear and the finding of refuge for them as the wisdom and the conscience of the nations represented here may direct. It includes the finding of homes for homeless, and an international generosity in furnishing temporary feeding and transportation, and prevention of the sweeping fires of pestilence which might menace the world. It includes the requirement of guarantees of these nations which now find those homeless hordes upon their soils that they shall have protection. It includes the attempt to prevent further migrations and it is not of vast consequence, to my mind, whether migrations are started by order issued by authorities or by fear of violence.

I do not say that the Allied Powers have avoided responsibility for the fulfilment of these ends. On the contrary, I point out that these ends have been their deep concern and the subject of their pledges.

I point out the following few instances of such assurances which have been cited by those who seek the establishment of a refuge for Armenians:

The text of the Treaty of Sèvres.

The statement of the Secretary of State for Foreign Affairs of Great Britain made in the House of Commons on the 11th March, 1920.

The statement of the Prime Minister in the House of Commons on the 29th April, 1920.

The letter of M. Poincaré, President of the French Republic, to the Armenian Archbishop of Cilicia, the 16th February, 1919.

"The resolutions of the Supreme Allied Council, the 8th March, 1921.

"The resolutions of the Allied Ministers for Foreign Affairs, the 26th March, 1922.

The resolutions of the League of Nations on the 22nd September, 1922.

"I do not say that the Turkish delegation and the National Assembly will fail to act in accordance with that tolerance and justice and concession which the United States and the whole world expect and may righteously require.

"But I urge on behalf of the people of the United States that this conference will never leave Lausanne without providing some means for permanent joint labours to find refuge for unprotected hordes and to create, if possible, safe territorial refuges for special populations if it be determined that they require separation from other nationalities, religions or races. Above all, this conference should secure by agreement and by measures of humanitarian administration strong guarantees that safety shall attend the continuance in their present situation of populations which now are vexed by fears. We believe that new precedents which tend to establish the right of nations to expel large bodies of their citizens to become burdens upon other nations must be carefully considered before countenance is given them, lest a new and unwholesome principle find foothold to vex international law and justice.

"The representatives of the United States believe that the ends to be sought are prevention rather than mere relief, and guarantees of safety of minorities rather than mere succour to their misery, and permanence of joint action rather than mere spasmodic separate activity. In this purpose, the people of my country, though far removed by distance, have a profound interest, and will continue to stand ready with their contributions."

M. SPALAIKOVITCH made the following speech:

"I have listened attentively to the well-chosen pages of history which his Excellency Ismet Pasha has just read out to us, and in so doing I had the impression that I was hearing an impeachment of Tsarist Russia and an unreserved defence of the Turkey of Abdul Hamid.

"It is not my intention either to defend the former or to attack the latter, but I do wish in a few short remarks to correct a great mistake made by Ismet Pasha.

"The history of the Ottoman Empire during the last century cannot be explained by merely recounting the interventions of Russia and her agents in Turkey. Out of two factors which have had a decisive influence on the fate of the Turkey of the past, Ismet Pasha has only mentioned one—the external factor, *i.e.*, the ambitions of the Great Powers, and especially of Russia. It is a fact that during the last period of its history the Ottoman Empire was a kind of enterprise of the Great Powers. In this respect Ismet Pasha is right, but he is mistaken when he says that 'all the insurrections in the Balkans during the last century were stirred up by Tsarist Russia.' Such a statement shows that Ismet Pasha ignores the second factor, which has played a preponderant part in the destiny of the Ottoman Empire.

"This factor is the feeling of the Christian nationalities in the Balkans, who were unable to forget their national ideals. The aspirations of these nationalities were the main lever in their struggle for independence. As we know, this national feeling has played a decisive rôle in the creation of all modern States. This same national feeling also accounts for the present birth of a new, Kemalist, national Turkey.

"So much for the past. I frankly say to Ismet Pasha that between us Serbs and the Turks the century-long quarrel is settled, the historic duel finished, and that the possibility of our living henceforward on good terms, and even as good friends, will depend solely on the future attitude of the Turks.

"As regards the present, I beg Ismet Pasha's leave to address a few words to him on the minorities problem. These words will be as frank and impartial as those which I have just uttered. This is all the easier for me, since there will be no Serbian minority in the Turkey of the future, and consequently no cause of difference between us on this point.

Ismet Pasha must bear in mind the evolution which has taken place in the legal ideas and institutions of Europe as regards the international problem of minorities. His chief apprehension relates to the consequences of intervention by the Great Powers of former days in favour of the Christian minorities of the Ottoman Empire. First, there was the intervention of Russia alone in virtue of the Treaty of Koutchouk-Kainardji; afterwards there was the intervention of the Great Powers, especially since the Treaty of Paris. But Ismet Pasha ought to be reassured now. The days of individual or collective intervention are over. Since the last great war the minorities problem has entered upon a new phase in its legal evolution. A new set of doctrines has arisen out of the last treaties of peace, and also a practical system, of which the League of Nations is the trustee. This system has been adopted by all civilised nations, and embraces all ethnical minorities without racial or religious distinction. States such as Jugoslavia, Roumania, Czechoslovakia, &c., have submitted to it. Surely Turkey cannot exclude herself from it either. This is the minimum which she should accept if she really desires to take her place among modern States. This minimum is the new régime of universal international law which to-day applies to minorities.

"The distinguished manner in which Lord Curzon has expounded these new principles of international law proves that his proposals for the future treatment of minorities in Turkey are solely inspired by a feeling for what is equitable and humane. By agreeing to these proposals the Turkish delegation will accomplish an act consonant with the interests of Turkey and of civilisation."

ISMET PASHA said that in his previous detailed statement he had set forth the general point of view of the Turkish delegation in regard to the minorities question, and that, as he had only just become acquainted with Lord Curzon's proposals, he would reserve his reply thereto for a later meeting, when he had thoroughly examined the matter.

To his mind the speeches made after his own justified the ideas and views in support of which he had cited various historical events. These examples taken from history showed how right the Turkish delegation were to lay stress on the lessons of history and how necessary it was to bear those lessons in mind in attempting to solve the minorities problem.

The statements of M. Veniselos had naturally aroused the greatest surprise in the Turkish delegation. Ismet Pasha's impression was that the exchange of propositions had been proposed and upheld by the Greek delegation, and that the question had been referred in that form to a special sub-commission, which had made considerable progress in its work.

Reverting to the question under discussion, Ismet Pasha remarked that, if the demand for the maintenance of the Greek population at Constantinople were conceded, the proposals made would tend to react unfavourably on Turkish interests since they would condemn several hundred thousand Turks to acute distress and expulsion from Greek territory. The pity, generosity and tolerance of the Turks always recoiled upon them to their disadvantage.

The surprise of the Turkish delegation had been still greater when M. Veniselos took the liberty to speak of the Armenians. He had doubtless lost sight of the fact that the Greek occupation of Asia Minor had been a new cause of suffering and misfortune for the poor Armenians. That unhappy people had been forcibly conscripted and incorporated in the ranks of the Greek army. The leading Armenians in Europe had eagerly besought the Greek Government not to compromise their compatriots in this way. No attention was paid to these warnings. The Armenians were sent to the front and forced to fire on the Turks. After the rout endless devastation was done, and the Greek authorities started a propaganda of falsehood with a view to putting the blame for these crimes on the Armenians. Finally, the Greeks dragged the Armenians away with them when they left Asia. It was therefore obvious that the last Government in the world which should dare to express in public its pity for the fate of the Armenians was the very Government which had been the direct cause of these calamities. The intervention of M. Veniselos in this matter surpassed Ismet Pasha's comprehension. The Turkish delegation desired that the question should be approached from a much broader point of view; they wished it to be known that there were over a million Turks without food or shelter in countries in which neither Europe nor America took nor was willing to take any interest. Truly humane feeling required that the situation and the existing distress should be viewed together as a single whole.

In reply to the remarks of M. Spalaikovitch, Ismet Pasha said that he had only referred to the Serbia of former times in his statement in order to demonstrate the part played by foreign Powers in the Balkans and the pernicious results of foreign intervention. The Turks had nothing but respect and esteem for national sentiment, and he recognised that it was one of the essential factors in the situation.

The minorities still remaining in Turkey could live there on the same footing as the Turks. But it was inadmissible and inconceivable that each minority should claim to dismember Turkey in order to have a separate territory granted to itself.

The purpose of the observations which he had just made was only to reply to the statements of the Greek and Serb-Croat-Slovene delegations. He reserved for the next meeting his detailed reply to those of Lord Curzon.

LORD CURZON understood Ismet Pasha to say that he had prepared his previous speech before he had had an opportunity of reading or studying the proposals put before the conference by himself.

It had been a source of great gratification to him to see that the fairness and sincerity of his proposals had been recognised by every other speaker, not only by the French and Italian delegates, but also by those of the United States of America, Greece and the Serb-Croat-Slovene State. He hoped that Ismet Pasha would do the conference the favour of making a serious study of these proposals in the course of that evening, and deliver his considered reply at 11 o'clock on the following morning.

(*The commission rose at* 7·20 P.M.)

ANNEX.

Statement read by Ismet Pasha.

ON ne saurait donner une solution équitable à la question des minorités en Turquie sans qu'on procède préalablement à une récapitulation sommaire de l'histoire de l'Empire ottoman au point de vue du traitement qui y a été réservé aux éléments différant de la nation dominante par leur religion et leur culture. De cet examen objectif se dégagera dans toute sa réalité la politique plusieurs fois séculaire suivie à l'égard des minorités; on constatera par là dans quelles circonstances elles ont prospéré et sous quelles conditions leur droit, voire même leur existence, furent menacés. Il va sans dire que l'élimination des facteurs qui ont mis des obstacles à la libre jouissance de leur droit et l'encouragement et le développement de ceux qui ont fait leur bonheur est la meilleure des solutions qu'on puisse envisager.

Dans l'histoire de l'Empire ottoman, la question des minorités date surtout du jour de la prise de Constantinople par les Turcs.

Les historiens sont unanimes à constater que Mahomet le Conquérant a accordé la plus grande liberté religieuse et administrative aux communautés non musulmanes des villes conquises. "Après la prise de Constantinople," écrit un publiciste français,* "le libre exercice du culte fut garanti aux adeptes des diverses religions." Sur l'ordre du Sultan, un nouveau Patriarche fut élu, George Scholarius, auquel Mahomet II dit en le couronnant de la tiare: "Sois Patriarche et que le ciel te protège! En toute circonstance, compte sur mon amitié et jouis de tous les privilèges que possédaient tes prédécesseurs." Mahomet avait nommé comme Patriarche arménien Der Ovaghim, avec le pouvoir le plus étendu sur tous ses coreligionnaires. Mr. Philip Marshall Brown, professeur de droit international à l'Université de Princeton, se référant à la politique libérale de Mahomet II dans son ouvrage intitulé "Les Etrangers en Turquie," leur statut juridique, s'exprime ainsi: "Son idée était extrêmement simple. Il visait à laisser aux Grecs, dans la plus large mesure qu'il était pratiquement possible, la libre jouissance de leurs propres coutumes et lois sous le contrôle responsable de leur Patriarche, qui devait leur servir d'intermédiaire ou ambassadeur auprès de la Sublime Porte. Dans les trois jours qui succédaient à son entrée triomphale dans la capitale, Mahomet invita le moine fanatique Scholarius à occuper le trône patriarcal. Le Sultan lui-même assista en grand apparat à l'investiture du nouveau Patriarche, auquel il conféra en sa qualité de successeur spirituel des Empereurs grecs, le titre inusité de Millet Bachi (chef de la nation). Il accorda également au Patriarche et à ses successeurs une juridiction presque illimitée sur les membres de la nation grecque. Malheureusement, le bérat original de Mahomet confirmant ces privilèges extraordinaires a disparu. Cependant, plusieurs Sultans successifs l'ont implicitement réaffirmé et sauf quelques retranchements qui étaient inévitables dans le cours de quatre siècles et plus ces pouvoirs exceptionnels continuent à être exercés par le Patriarche grec comme par les chefs des autres communautés religieuses, qui reçurent plus tard les mêmes concessions. . . . Le fait essentiel est que les Turcs, au milieu d'un grand triomphe, reconnurent spontanément et généralement aux conquis le droit de se gouverner d'après leurs propres lois et coutumes dans les affaires tenues sacrées par les musulmans, comme dans celles qui n'étaient pas d'une importance vitale pour l'Etat. Il est donc évident que cette politique tolérante n'était nullement en antagonisme avec l'esprit ou la lettre de l'islam. En fait, elle était pleinement en harmonie avec la jurisprudence musulmane et réfute éloquemment la réputation universelle d'intolérance si injustement faite aux Turcs."

C'est aussi cette tolérance frappante qui a fait dire à Voltaire: "Sortons de notre petite sphère et examinons le reste de notre globe. Le grand Turc gouverne en paix vingt peuples de différentes religions; deux cent mille Grecs vivent en société à Constantinople. . . . Les annales turques ne font mention d'aucune révolte excitée par aucune de ces religions. Allez dans la Judée, dans la Perse, dans la Tartarie, vous y verrez la même tolérance et la même tranquillité. . . . Sous Sélim, sous les autres Sultans, spécialement sous Suleyman, les Turcs ont enseigné aux chrétiens la modération dans la guerre et la douceur dans la victoire."†

L'attestation de l'histoire démontre ainsi incontestablement que les droits des minorités qu'on cherche à assurer au vingtième siècle sous la garantie de la Société des Nations se trouvaient être spontanément accordés aux éléments non musulmans de l'Empire ottoman.

Cependant, malgré le maintien des droits des minorités, les relations cordiales entre les musulmans, surtout depuis le début du dix huitième siècle, d'une part, et les différentes communautés non musulmanes d'autre part, ont subi des altérations successives; la bonne entente qui avait existé jusqu'alors a commencé à faire place à une méfiance réciproque et les événements fâcheux qui en résultèrent ont causé bien des souffrances tant à la majorité qu'aux minorités.

Ces événements eurent en premier lieu leur origine des provocations extérieures qui avaient pour objectif de préparer l'écroulement d'un grand empire que les attaques incessantes de voisins malveillants avaient déjà sensiblement affaibli.

On sait que Pierre le Grand avait déjà depuis longtemps arrêté le programme d'après lequel ses successeurs devaient agir envers la Turquie. "Approchez," aurait il dit, "le plus possible de Constantinople et des Indes; celui qui y régnera sera le vrai souverain du monde. En conséquence, suscitez des guerres continuelles

* Ed. Noguères, "Arménie," p. 86

† Michelet "Histoire de France," chapitre "Soleiman sauve la France."

tantôt aux Turcs, tantôt à la Perse, établissez des chantiers sur la mer Noire pour vous emparer peu à peu de cette mer. Intéressez la maison d'Autriche à chasser le Turc de l'Europe et neutralisez ses jalousies lors de la conquête de Constantinople, soit en lui suscitant une guerre avec les anciens Etats de l'Europe, soit en lui donnant une portion de la conquête qu'on lui reprendra plus tard."

Pour "susciter des guerres continuelles au Turc," l'intervention au nom de la religion chrétienne fournissait à la Russie tsariste un des meilleurs prétextes. Ce prétexte, qui était destiné à jouer un rôle des plus importants dans les relations futures des deux empires, trouvait son point d'appui dans le Traité de Kutchuk Kaïnardja, conclu en 1774 entre Abdul Hamid Ier et Cathérine II. Le droit de protection sur les principautés vassales de Moldavie et de Valachie, que la Russie obtenait en vertu de ce traité, lui servirait dorénavant de motif pour prétendre assumer le rôle de protecteur de toutes les populations grecques orthodoxes de l'Empire ottoman. "La communauté de race avec la plupart des chrétiens des Balkans, communauté de religion avec tous, droit reconnu par traité donnait à la Russie un prestige moral, une situation de protection officielle qu'elle mit longtemps au service de ses visées ambitieuses sur les détroits."*

La libéralité même de l'Empire ottoman envers ses sujets non musulmans se retournait ainsi contre lui. "Les chrétiens, adversaires de l'Etat ottoman, restaient organisés en corps de nations prêts à la révolte; ils étaient protégés officiellement par un grand Etat européen hostile à l'Empire et qui n'était pas retenu par le droit international." L'interprétation que le Tsar (Alexandre) donnait au Traité de Kaïnardja l'encourageait à pousser plus loin ses prétentions et à se poser en médiateur entre les Ottomans et la masse entière de leurs sujets chrétiens. Il avait, croyait il pour mission de protéger ces derniers et, au besoin, les délivrer.†

Toutes les insurrections qui ont eu lieu à différentes époques du 19e siècle dans les Balkans étaient soulevées par la Russie tsariste.

Sans remonter jusqu'aux premières tentatives faites par les Russes pour susciter des insurrections en Turquie et sans nous arrêter pour le moment sur les agissements d'Orlof, favori de Cathérine II, ayant pour but de soulever les Grecs de la Morée, agissements qui ont coûté tant de vies innocentes aux populations musulmanes et chrétiennes; vu notamment le massacre de Missitra‡ et les représailles qu'il a provoquées, il convient de commencer par l'insurrection grecque de 1821.

Il est un fait notoire que les chefs de la propagande hellénique ainsi que l'association secrète dite "Hetairiff tomphilicon" étaient particulièrement favorisés par la Russie. Cette association avait pour but d'établir "l'union armée non seulement de tous les Grecs, mais de tous les chrétiens de l'Empire ottoman pour faire triompher la croix du croissant."§ Les princes phanariotes étaient comblés de ses (Alexandre Ier) bienfaits. L'ancien Hospodar de Valachie, Constantin Ypsilanti, était réfugié en Russie. Deux de ses fils, Alexandre et Démétrius, qui devaient, en 1821, donner le signal de la révolution grecque, étaient ses aides de camp. Le corfiote Capo d'Istria, dévoué comme eux à l'émancipation de sa patrie, était pour le moment son Ministre de prédilection. Le Tsar n'avait pas empêché cet homme d'Etat d'accepter la présidence de la Société des Philomuses. "Société qui à l'encontre de l'hétairie, dissimulait ses vues politiques sous un programme purement littéraire."** Bien plus, il avait permis que l'hétairie établit son siège central sur le territoire russe et c'était d'Odessa que, sous l'œil bienveillant de sa police, le Grec Skouphos, fondateur de cette association, envoyait le mot d'ordre à ses premières auxiliaires.††

Alexandre feignait d'ignorer l'existence de cette association qui comptait des représentants jusque dans son entourage. Mais il la connaissait parfaitement et la favorisait à tel point qu'à la fin de 1816, Skouphos avait pu, sans être inquiété, transporter à Moscou le siège de ses opérations."‡‡ Pour mettre en grand relief la

* Ch. Seignobos, "Histoire politique de l'Europe contemporaine," p. 589.

† Lavisse et Rambaud, "L'Histoire générale," tome X, p. 167.

‡ "En Morée, les Mavromichalis et Remakis conseillaient aux Russes, pour assurer une place d'armes à l'insurrection, de prendre Coron. Les aides-de-camp d'Ypsilanti, Tsaras, Missitra, Patras, Tripolitza, tous les pays grecs prirent feu comme d'un seul coup. Tsaras organisait les légions spartiates. Renforcées de quelques centaines de Russes sous le commandement de Baïa, elles marchaient sur Missitra, capitale. Partout fuyaient les Turcs épouvantés, criant: 'Ce ne sont pas des Romaïques, mais des Moscovites.' On sait Russes ne purent contenir leurs sauvages alliés de Mania, les excès se commirent; à Missitra, la ville fut pillée, des habitants massacrés, des enfants précipités du haut des remparts." (Lavisse et Rambaud; tome VII, p. 945.)

§ Lavisse et Rambaud, tome X, p. 160

Lavisse et Rambaud; tome X, p. 167.

¶ Lavisse et Rambaud; tome X, p. 165.

** Lavisse et Rambaud; tome X, p. 167.

†† Lavisse et Rambaud; tome X, p. 170.

complicte de l'Empire russe dans la revolution des Grecs, nous ne pourrions faire mieux que de citer les lignes suivantes de M. Debidour :

On ne pouvait douter que le Tsar et son Ministre Capo d'Istria ne fussent les premiers auteurs du soulèvement qui se produisit à ce moment même dans presque toute la péninsule des Balkans. On se rappelait que la Russie entretenait depuis cinq ans une querelle ouverte avec la Porte, au sujet de certaines stipulations douteuses ou contestées du Traité de Bucarest. On n'ignorait pas que l'hétairie grecque avait pris en Russie, dans ces dernières années, un formidable développement; on rapprochait ce fait du voyage que Capo d'Istria avait fait aux îles Ioniennes en 1819 et des troubles qui en avaient résulté; on savait aussi que des émissaires de la nation grecque étaient venus depuis près de deux ans solliciter le Tsar de lui désigner un chef et de lui donner le signal de l'insurrection. Il était patent qu'Alexandre Ypsilanti, général-major au service de la Russie, qui s'était rendu à Kichenew dès le mois de juillet 1820 pour organiser son attaque contre l'Empire ottoman, n'avait pu quitter Saint-Pétersbourg et se livrer à ses préparatifs de guerre qu'avec l'assentiment au moins tacite de l'Empereur. N'avait-il pas écrit du reste dans sa première proclamation ces lignes significatives : 'Si quelques Turcs désespérés faisaient incursion sur votre territoire, ne craignez rien, car une grande Puissance est prête à punir leur insolence.' En somme, il semblait qu'avec un grand machiavélisme Alexandre eût voulu profiter, pour mettre la main sur l'Orient, du moment où les Puissances intéressées à l'en empêcher seraient les plus préoccupées des troubles de l'Occident."*

On connait trop les troubles et les massacres qui ont été causés par l'activité de cette association révolutionnaire sous le commandement d'Alexandre Ypsilanti dans les principautés et sous la direction des chefs de bandes en Thessalie, en Morée, en Macédoine, &c. Dans un ouvrage dédié à son Excellence Lord Curzon of Kedleston, un historien anglais, en dérivant, entre autres, le soulèvement de l'Attica, s'exprime ainsi : "Cette révolte, qui se répandit bientôt à toute la Morée, avait un caractère terrible. Elle avait pour but l'entière destruction des populations musulmanes et la confiscation de leurs biens. Une chanson populaire répétée en chœur, disait : 'Chassez les Turcs de la Morée, chassez les du monde entier.' Les Turcs fuyaient, pour se réfugier, soit à Tripolitza, soit aux places fortifiées des côtes."†

Il est facile de constater la même politique de provocation russe dans les soulèvements qui ont eu lieu en Bosnie et en Bulgarie, de 1849 à 1851,‡ ainsi que dans celles de Bosnie et d'Herzégovine de 1875. En ce qui concerne surtout cette dernière, il s'agissait de remanier la reconstitution de l'ancienne confrérie de Cyrille et de Méthode, dissoute jadis par Nicolas, et qui se proposait l'amélioration du sort des chrétiens d'Orient et leur libération. Elle avait dépensé le plus clair de ses ressources en Bulgarie, au Monténégro, en Bosnie, en Herzégovine; c'était de ses agents que venait l'argent pour les églises, les livres pour les écoles. En rapport constant avec les agents consulaires, elle n'avait pas laissé ignorer à ses clients les succès de la Russie à la Conférence de Londres et la revision du Traité de Paris. Enfin, quand en 1870 les Bulgares avaient obtenu grâce à l'intervention d'Ignatief, l'Ambassadeur à Constantinople, le droit de se choisir un exarque et l'autonomie de leur église, il avait paru à tous les opprimés (?) que le Tsar avait recouvré sa puissance : les anciens espoirs s'étaient réveillés. A la fin de 1874, l'action des agents russes devint d'autant plus énergique que l'Autriche, en signant des traités de commerce avec la Serbie et la Roumanie sans demander à la Sublime Porte les ratifications légalement nécessaires, paraissait prélude à une politique nouvelle et semblait chercher à gagner au détriment de l'influence russe l'amitié des jeunes États balkaniques.§

"C'était le temps du panslavisme, beaucoup de Russes, même l'entourage immédiat du Tsar, rêvaient la réunion de tous les Slaves dans un même Empire. La première conséquence en devait être l'annexion des États slaves des Balkans et la domination russe sur la plus grande partie de la péninsule balkanique . . . , tandis que la propagande panslaviste suscitait et entretenait l'agitation parmi les populations chrétiennes de la Turquie, l'Ambassadeur russe à Constantinople, le Général Ignatief, encourageait ouvertement toutes les entreprises, souvent indiscrètes, des missionnaires de la Grande Russie."

* Debidour, "Histoire diplomatique de l'Europe," tome I, p. 156
† Oscar Browning, "History of the Modern World," p. 78.
‡ Voir Lavisse et Rambaud, "Histoire," XI, p. 790
§ Lavisse et Rambaud, tome XII, p. 191.
Collas, "Histoire de l'Empire ottoman," p. 179.

On sait également comment la Russie a pris une part active à ces révoltes en faisant passer au service de la principauté de Serbie, l'un de ses généraux, Tchernaief, avec bien des volontaires et des officiers russes."

Tandis que le Tsar et son chancelier recherchaient avec les Gouvernements autrichien et allemand les moyens de rétablir la paix et de l'assurer, des hommes, des armes, des munitions, de l'argent, plus de vingt millions, étaient envoyés de Russie en Serbie, au Monténégro et dans les provinces susindiquées."†

L'insurrection bosniaque n'avait pas manqué d'avoir son contre-coup en Bulgarie, d'autant plus que l'intervention des Puissances en faveur des insurgés avait fait naître chez les Bulgares l'espoir de la libération depuis longtemps promise par les agents russes.

Aussi un soulèvement a eu lieu au mois d'avril 1875 à Strielitza, en provoquant de la part des autorités ottomanes des mesures de répression qui, grâce à une campagne de propagande intéressée, furent représentées à l'Europe sous un aspect entièrement différent de la réalité des choses

En effet, la véritable portée de ces événements qui avaient fourni à Mr. Gladstone l'occasion de déchaîner sa célèbre campagne de "bag and baggage" contre les Turcs, est décrite dans les lignes suivantes de Sir Henry Layard, extraites d'une de ses dépêches à Lord Derby : "Le peuple anglais ne saurait peut-être supporter déjà d'entendre la vérité sur les événements de l'an dernier; mais il est de mon devoir de la déclarer à votre Seigneurie. L'habileté merveilleuse déployée par la Russie et ses agents pour égarer l'opinion publique en Angleterre et ailleurs fut largement récompensée. Il faudra peut-être encore bien du temps pour que ce qui est vrai soit séparé de ce qui est faux; il sera trop tard lorsque l'histoire fera cette discrimination. La Porte n'a eu recours à aucun moyen efficace pour exposer sa cause devant l'Europe. A cette fin, elle n'utilise ni la presse, ni des agents compétents. Une grande proportion du public anglais se trouve probablement encore à l'heure actuelle sous l'impression que des déclarations sur lesquelles les premières accusations contre la Turquie étaient basées soient vraies : 60,000 chrétiens violés ou massacrés; des chariots remplis de crânes humains; des foules de femmes brûlées dans des greniers et d'autres horreurs similaires. Il y a des personnes, parmi lesquelles, je regrette de le dire, des Anglais, qui se vantent d'avoir inventé ces histoires dans le but de discréditer ('writing down') la Turquie, ce à quoi ils étaient conduits par quelqu'un qu'on connait bien. Le public en Angleterre croira avec difficulté que les enquêtes les plus exactes et les plus complètes effectuées au sujet des événements survenus l'année dernière en Bulgarie réduisent maintenant le nombre des morts à 3,500 environ, y compris les Turcs qui étaient en premier lieu assassinés par les chrétiens. Aucune personne impartiale ne tient aujourd'hui sur qu'un soulèvement des chrétiens, calculé par ses auteurs pour aboutir au massacre général des musulmans, était projeté et que ce soulèvement était dirigé par les Russes et par les agents panslavistes." Les mémoires de Sir Henry Elliot, Ambassadeur britannique à Constantinople de 1867 à 1877 confirment la même vérité : ils attestent également que, dans les événements de Bulgarie les chrétiens ont été toujours des agresseurs, qu'ils ont lâchement massacré les Zaptiehs et brûlé les villages turcs, qu'il n'est pas vrai que les Turcs aient châtié les coupables et les innocents sans distinction; que, bien que l'Ambassadeur britannique n'ait aucune qualité pour se prononcer sur les faits d'ordre intérieur d'un vilayet ottoman, Gladstone n'a pas hésité dans des buts politiques de profiter de l'occasion comme si la révolte était survenue sur le sol britannique et que l'impunité des coupables aurait entraîné sa propre responsabilité, et qu'enfin il n'a, fût-il pour une seule fois, mentionné le fait que les musulmans n'ont procédé à des représailles qu'après qu'ils se virent menacés d'extermination.

Si l'on désire d'autres aveux sur cette prétendue cruauté turque, on pourrait se référer aux souvenirs de Xélidof, conseiller de l'Ambassade russe à Constantinople, publiés dans le numéro du 15 mai 1915 de la "Revue des Deux Mondes"; "Un mouvement puissant de l'opinion publique se produisit en Europe en faveur des chrétiens. Des correspondants étrangers, même américains, allaient voir sur les lieux les dégats commis et les traces des actes barbares des Turcs. La Serbie et le Monténégro en profitaient pour se lever, eux aussi, contre la Turquie et lui déclarer la guerre, que l'opinion publique russe surchauffée par les comités slaves soutenait moralement. Le général Ignatief poussait à la roue, espérant sortir ainsi de la situation inextricable où l'avait placé la marche des événements intérieurs en Turquie. J'étais alors sincèrement sympathique à sa manière d'agir, étant convaincu

* Lavisse et Rambaud, tome XII, p. 428.
† Lavisse et Rambaud, tome XII, p. 430.

que tout ce que l'on racontait était la vérité. C'est seulement plus tard que j'ai appris combien il y avait d'exagération et dans le mouvement prétendu unanime des Herzegowiniens et dans les atrocités turques, et dans les récits réputés impartiaux du correspondant du "New York Herald," Mac Guyan, et du consul des États-Unis, Schuyler, qu'Ignatief avait envoyés en Bulgarie accompagnés par le prince Tzeretelew, lequel leur fit voir et écrire ce qu'il voulait ou plutôt ce qu'il avait l'ordre de leur inspirer. Il l'a avoué lui-même plus tard.

Pour terminer notre historique, sur les perturbations que les communautés non musulmanes ont subies dans leurs relations avec les Turcs depuis le 19e siècle perturbations qui tirent leur origine, comme nous l'avons vu, non de l'intolérance ni de la persécution des Turcs, mais bien de causes politiques indépendantes de la volonté de la Turquie, il ne nous reste que cette regrettable question arménienne

Jusqu'au milieu du 19e siècle, les Arméniens avaient vécu paisiblement et en pleine liberté en Turquie.

Sir Charles Wilson, dans son article sur l'Arménie,* en parlant des privilèges accordés au patriarchat, admet que cet *imperium in imperio* assura aux Arméniens une situation reconnue devant la loi, la liberté d'exercer leur culte, la possession de leurs églises et monastères, le droit de libre éducation de leurs enfants et celui de gérer eux-mêmes les affaires intéressant la communauté. De même, il aida la formation d'une vie de communauté qui plus tard donna naissance à un désir intense de vie nationale . . . . En vertu des règlements approuvés par le Sultan en 1862, le patriarche demeurant le représentant officiel de la communauté, mais tout le pouvoir réel passait entre les mains des conseils ecclésiastique et laïque élus par une assemblée représentative composée de 140 membres. La "communauté," qui ne comprenait pas les catholiques et les protestants, a bientôt pris le nom de "nation," les affaires de communauté ont revêtu le caractère "d'affaires nationales et les représentants celui de membres de l'Assemblée nationale."

Par suite de leur attitude correcte et loyale, les Arméniens s'étaient assuré la confiance des Turcs, qui leur avaient confié des postes importants dans l'administration du pays. Ils avaient enfin obtenu le surnom de Milléti Sadika, peuple fidèle, par opposition aux Grecs dont la turbulence au cours des dernières années avait causé tant d'ennuis à l'État ottoman.†

La Russie avait déjà commencé à s'apercevoir de l'insuffisance de sa clientèle greco-slave et voulait s'attirer encore l'assistance de ce peuple jusqu'alors pacifique, tant pour porter le coup de grâce à la Turquie qu'en vue de préparer un terrain propice pour ses visées sur les provinces orientales de l'Asie Mineure où ce peuple comptait des habitants assez nombreux.

C'est ainsi que par l'intermédiaire du Catholicos d'Elchmidzine (autorité religieuse suprême des Arméniens ayant son siège en Russie), elle provoqua les intellectuels arméniens de Russie à créer un courant antiturc parmi leurs congénères russes et ottomans.

Ce coup préparé de longue main portait ses premiers fruits lorsqu'en 1876 le Patriarche Nersès Varzabedian envoya une délégation auprès du généralissime russe à San-Stefano pour lui demander, par un mémoire officiel, l'indépendance des provinces de l'Asie Mineure habitées par des Arméniens, ou tout au moins l'établissement du contrôle de la Russie sur ces régions. Il est vrai que le Traité de Berlin et la Convention de Chypre avaient privé la Russie de la prétention de protection exclusive qu'elle comptait pouvoir baser sur les stipulations insérées au Traité de San Stefano relativement à des réformes en faveur des Arméniens. Mais le fait de substituer une protection collective au lieu de la protection russe n'en encouragea pas moins les Arméniens à provoquer des incidents dans le but d'amener l'intervention des grandes Puissances. C'est ce trait essentiel qui caractérise tout le mouvement insurrectionnel arménien depuis le Traité de Berlin.

Des sociétés étaient formées à Tiflis et dans plusieurs capitales d'Europe pour faire circuler des pamphlets et des journaux dans ces associations secrètes telles que Hintchak furent créées dans des buts révolutionnaires. Une propagande active était menée dans l'Arménie turque, par des émissaires qui s'efforçaient d'introduire des armes et des explosifs et de représenter à l'Europe des incidents ordinaires de maladministration turque comme de terribles atrocités."‡

* Encyclopædia Britannica."

† "A l'avènement d'Abdul Hamid au trône de Turquie, la condition des Arméniens était meilleure que ce [illegible] à la question arménienne" ("Encyclopædia Britannica").

‡ Sir Charles Wilson, "Encyclopædia Britannica."

Le but que se proposaient les sociétés révolutionnaires arméniennes se dégage dans toute sa hideuse réalité d'une lettre du docteur Hamlin le fondateur et le premier président de Robert Collège à Constantinople. Cette lettre est publiée dans le journal congrégationaliste de Boston et datée du 23 décembre 1893. "Un Arménien très intelligent écrit-il, qui parle l'anglais aussi couramment et correctement que l'arménien et qui est un défenseur éloquent de la révolution, m'assurait qu'ils avaient le ferme espoir de préparer la voie à l'entrée des Russes en Asie Mineure et leur prise de possession de ce pays." En réponse à la question comment cela se ferait-il, il répondit : "Les bandes hintchakistes, organisées dans tout l'Empire, attendront des occasions pour tuer les Turcs et les Kurdes, pour incendier leurs villages, après quoi ils se sauveront sur les montagnes. Alors les musulmans enragés se lèveront pour tomber sur les Arméniens sans défense et les tuer avec une telle sauvagerie que la Russie se précipitera au nom de l'humanité et de la civilisation chrétienne pour envahir le pays." Lorsque je lui ai fait remarquer que ce plan était le plus cruel et le plus infernal de tout ce qu'on puisse imaginer, il m'a répondu avec calme : "Tel il vous paraît sans doute, mais les Arméniens sont résolus à s'affranchir. L'Europe s'intéressa aux horreurs de Bulgarie et l'affranchit. Elle prêtera sans doute son oreille à notre appel qui sera fait par le cri et le sang des millions de femmes et d'enfants."*

Le mémorandum relatif à l'origine et aux tendances du mouvement arménien que Sir P. Currie, Ambassadeur britannique à Constantinople, a adressé au Foreign Office par sa dépêche du 28 mars 1894, est plus édifiant encore : le No. 3 de ce rapport dit littéralement ce qui suit : "L'objet immédiat des révolutionnaires a été de susciter des troubles, de s'attirer des représailles inhumaines et par là provoquer l'intervention des Puissances au nom de l'humanité. C'est pourquoi ils ont choisi pour leurs opérations non pas les régions où les Arméniens étaient le plus nombreux, mais bien les localités dans lesquelles l'élément musulman était en écrasante majorité par rapport à l'élément arménien."†

Le rapport du 28 janvier 1895 de Mr. Graves, consul britannique à Erzeroum, est également intéressant. En énumérant les différents partis arméniens, il dit : Un parti libéré modéré comprenant une majorité de négociants, de professionnels de maîtres d'écoles avec la meilleure partie du haut clergé dont les vues, quoique trop libérales pour leur permettre d'être réellement contents de la situation actuelle des chrétiens sous la domination ottomane, ne sauraient être appelées vraiment déloyales. Ils étaient généralement tout à fait conscients tant de l'impossibilité matérielle de la constitution d'une Arménie indépendante que du danger de la dénationalisation ultime qui les attendait probablement en cas d'annexion par la Russie. En conséquence, ils voulaient éviter de hâter une solution violente de la question arménienne et maintenir l'élément arménien tel quel en consolidant et développant l'église et les écoles nationales qui jouissaient d'une plus grande liberté sous la souveraineté ottomane que sous la domination russe. Aussi placaient-ils leurs espérances pour l'avenir dans l'établissement des réformes administratives qui avaient été si souvent promises par la Porte.

Un petit mais actif parti révolutionnaire, légèrement représenté à l'intérieur de l'Empire turc, car il est en grande partie composé des jeunes Arméniens qui ont fait leurs études à l'étranger et se sont laissés influencer par la propagande socialiste ou nihiliste, auxquels on peut ajouter quelques réfugiés ou exilés politiques, mais qui comprend néanmoins un certain nombre d'esprits les plus échauffés parmi les Arméniens de Turquie qui se sont empressés d'assister leurs camarades du dehors en s'efforçant de réaliser leur projet. L'organe le plus déclaré de ce parti a été depuis quelque temps le journal "Hintchak," publié d'abord à Genève, et ensuite à Athènes, par un groupe d'organisateurs auxquels peuvent être attribués tous les troubles arméniens des dernières années et qu'on peut désigner en général sous l'appellation du groupe hintchakiste. Leur objet consistait ouvertement, en créant une apparence de mécontentement très répandue et tout à fait disproportionnée à leur nombre et influence, à provoquer des représailles de la part du Gouvernement et du peuple turcs de manière à attirer l'attention des Puissances sur des griefs imaginaires de la nation arménienne et sur la nécessité d'y remédier. En cela il faut bien l'admettre ils ont été aidés par l'action des autorités turques dans les provinces principalement affectées. Leur politique semble consister tout simplement à détruire et tout, et s'ils peuvent renverser le régime actuel, ils ne se soucient guère de celui qui le remplacerait, du moins, je ne connais pas qu'ils aient projeté un plan de gouvernement futur quelconque

* "Blue Book," No. 6 (1896), p. 39

† "Blue Book," No. 6 (1894), p. 57.

Un examen attentif des faits m'a conduit à cette conclusion que les événements des six derniers mois, survenant à la suite d'une période de maladministration croissante ont effectué un changement complet dans l'opinion arménienne.

Parlons en premier lieu du groupe hintchakiste. On peut supposer qu'il est satisfait du résultat de ses agitations; son principal objet, qui était d'attirer l'attention de l'Europe, fut obtenu, soit à l'aide de ses machinations, soit par suite des fautes de fonctionnaires turcs; et il serait donc avantageux pour tous les intéressés qu'ils renoncent à des agitations ultérieures qui n'ont guère aucune raison d'être et ne serviraient plus qu'à justifier la sévérité du Gouvernement.*

Malheureusement, ces agitations et ces provocations ne cessèrent pas; on massacra partout les musulmans rien que pour provoquer le massacre des Arméniens. les agitateurs ne rencontraient aucune désapprobation dans les capitales d'Europe où leurs comités préparaient leurs plans criminels. Nous voyons encore un an après les consuls anglais se plaindre à leur Gouvernement des méfaits des révolutionnaires. Dans une dépêche du 4 mars 1896 que Mr. Williams adresse à Sir P. Currie, il lui fait parvenir un manifeste récemment publié par le parti révolutionnaire Tachnak. Le vice-consul britannique à Van dit entre autres : "Cette société comprend à Van à peu près 400 membres qui avec les Hintchakistes lesquels n'excèdent pas le nombre de cinquante—terrorisent leurs concitoyens et par leurs outrages et folies excitent la population musulmane en paralysant tous les efforts déployés pour appliquer les réformes. Je suis fermement convaincu que si l'on pouvait les maîtriser ou même les forcer à se tenir tranquilles, l'un des plus grands obstacles à la sécurité dans ce district, comme aussi probablement dans toute l'Anatolie, aurait été écarté. J'ai expliqué à l'évêque arménien de cette ville le danger qu'il y aurait à aliéner la sympathie de l'Europe et que la politique aussi bien que le devoir devraient le conduire à user de toute son influence pour tenir ces anarchistes en laisse. Depuis notre conversation, je constate qu'il a fait son possible, et comme la majeure partie de la population arménienne désapprouve ces gens-là, j'ai des espoirs pour l'avenir. Plus j'examine les événements passés dans ce vilayet et son état actuel, plus je vois clairement que les actes criminels de ces sociétés sont largement responsables des scènes terribles qui ont eu lieu ici et dans toute l'Anatolie, &c."†

L'Europe, sans chercher à éteindre les foyers d'agitation arméniens qui faisaient couler le sang d'innombrables personnes innocentes, s'avisait de faire introduire des réformes en Turquie. En effet : "Le 11 mai 1895, les trois Puissances ont présenté au Sultan un plan compliqué de réformes qui était conçu plutôt dans le but d'accroître que d'amoindrir les difficultés en ce qui concerne l'administration de l'Arménie. Mais c'était le seul plan auquel la Russie eût voulu adhérer ";‡

La responsabilité de toutes les calamités ainsi elle l'élément arménien fut exposé dans l'Empire ottoman retombe ainsi sur leurs propres agissements, le Gouvernement et le peuple turcs n'ayant fait que recourir, dans tous les cas et sans exception, à des mesures de répression ou de représailles et cela après avoir épuisé toute leur patience.

Les événements d'Adana en 1909, les insurrections successives dans la plupart des provinces turques au début de la guerre mondiale, constituent la triste continuation de la même tragédie.

Il résulte des faits et des témoignages précédents que les Turcs n'ont jamais méconnu les droits des éléments non musulmans aussi longtemps que ceux-ci n'en ont abusé de la générosité du pays dans lequel ils ont vécu avec aisance depuis des siècles. L'exemple de la communauté israélite qui n'a eu jusqu'à présent à se plaindre d'aucun acte inhumain de la part du Gouvernement ou du peuple turcs suffirait à démontrer que la faute des événements fâcheux dans le cas des Grecs et des Arméniens retombe entièrement sur eux mêmes.

Le Général Mayewsky, consul général de l'Empire russe à Van, dans un rapport secret adressé à l'État major général russe, fait les déclarations suivantes : "La responsabilité des insurrections éclatant de temps à autre en Orient a été toujours rejetée sur les Turcs et en partie sur le Gouvernement ottoman La vérité en la matière est toutefois que ces révoltes ne précèdent pas d'actes d'oppression quelconque de la part des Turcs, mais de l'attitude trop libérale de la Sublime Porte en matière de religion et de nationalité Les Turcs ne se sont jamais mêlés des affaires de ce genre des peuples soumis à leur domination. Les écoles et églises chrétiennes n'ont jamais eu à subir aucun contrôle. Ce système de gouvernement a

* "Blue Book," No. 6 (1894), pp. 222 et 223.
† "Blue Book," No. 8 (1896), p. 168.
‡ Sir Charles Wilson, "Encyclopedia Britannica."

donné lieu à un développement excessif des sentiments religieux et nationaux des communautés non musulmanes. L'idée de fomenter des troubles à tout prix en vue de provoquer l'intervention de l'Europe ne quitte jamais l'esprit des chrétiens de Turquie Et c'est bien naturel, l'exemple des Grecs, des Roumains des Serbes et des Bulgares libérés étant là pour en garantir l'efficacité."

Un aveu plus important est fourni par M. Chedo Myatovitch, ancien Ministre de Serbie à Londres et à Constantinople. Écrivant dans l'"Asiatic Quarterly" (octobre 1913) après que la Serbie eut réalisé ses "aspirations" en ce qui concernait la Turquie, il dit : "Il faut bien admettre que c'est l'intérêt politique qui nous (les nations des Balkans) a fait décrire les Turcs comme de cruels tyrans asiatiques, réfractaires à la civilisation européenne. Une histoire impartiale prouverait que les Turcs sont plutôt européens qu'asiatiques, et qu'ils ne sont pas de cruels tyrans mais une nation qui aime la justice et la franchise et qui possède des vertus et des qualités méritant d'être reconnues et respectées."

Nous voulons citer comme dernier témoignage celui de M. Politis, ancien Ministre des Affaires étrangères dans le Cabinet Vénizélos et délégué du Gouvernement hellénique à la Conférence de la Paix.

M Politis, dans un article paru dans le numéro de janvier 1914 de la "Revue politique internationale," déclare, en discutant la condition des Grecs de Turquie : "Sous aucune domination étrangère, ses intérêts [c'est-à-dire ceux des Grecs de Turquie] ne pourraient trouver une protection égale à celle que leur offre le régime turc."

L'histoire nous enseigne donc à ne pas perdre de vue dans la question des minorités, deux facteurs principaux :

1. Le facteur politique d'ordre extérieur consistant dans le désir nourri par certaines Puissances d'intervenir dans les affaires intérieures du pays sous le prétexte de protéger les minorités. L'intervention ainsi visée se réalisant surtout par des provocations préalables et par la fomentation de troubles.
2. Le facteur politique d'ordre intérieur, savoir le désir chez les minorités ainsi encouragées de s'affranchir pour constituer des États indépendants.

Les souffrances des minorités en Turquie étant causées par ces deux éléments, il va sans dire que l'amélioration de leur sort, en tant que cela serait réellement désiré par les Puissances alliées, dépendrait absolument de la neutralisation de l'action de ces mêmes facteurs.

En ce qui concerne le premier point, on est forcément amené à admettre que les minorités devraient avant tout être privées d'une protection politique quelconque autre que celle qui leur est garantie par les lois du pays Comme M Clemenceau le fait justement remarquer à propos des garanties des Puissances en faveur des droits des minorités, "l'expérience a montré que cette disposition était en pratique inopérante et qu'on pouvait reprocher à ce système de conférer aux grandes Puissances, soit individuellement, soit en groupe, un droit d'intervention dans la constitution intérieure des États en question, intervention qui pourrait poursuivre des fins purement politiques."*

L'organisation actuelle de la Société des Nations ne semble pas, malgré l'opinion de l'homme d'État français, être de nature à éviter ce grave inconvénient. En effet, bien que l'examen ultérieur des questions intéressant les minorités soit du ressort de la Cour de Justice internationale, chaque membre du Conseil de la Société des Nations ayant la faculté de soulever ces questions, rien n'empêcherait les Puissances ayant des visées sur la Turquie, d'exciter en cachette les minorités et de profiter comme autrefois des troubles qui en résulteraient pour provoquer l'intervention de la Société susmentionnée

De plus, la suppression d'une intervention officielle serait encore sans effet pour rendre certaines minorités inaccessibles aux provocations du dehors. La dernière campagne de dévastation et de carnage mêlée de toutes sortes de crimes abominables, a mis en évidence les visées agressives de l'État hellénique sur l'Asie Mineure turque.

La conscience éclairée des peuples civilisés pourrait-elle consentir à une solution qui serait la source de difficultés sans nombre?

Laissera-t-on au grand détriment de la tranquillité du monde des populations

* Lettre de M. Clemenceau, président de la Conférence de Versailles, adressée à M Paderewsky, le 24 juin 1919, lors de la remise du projet définitif du Traité de Paix.

musulmanes ou chrétiennes s'entre-déchirer rien que pour le profit d'intérêts politiques?

L'exclusion de cet élément de provocation ne serait possible qu'en rendant en premier lieu les non-musulmans de la Turquie inaccessibles aux agitations du dehors. A cette fin, le remède le plus radical et le plus humain consisterait dans l'échange des populations chrétiennes de la Turquie contre les musulmans de pays voisins et surtout contre ceux de Grèce qui, comme les Turcs de la Morée et de la Thessalie, se trouvent condamnés à une extermination certaine. L'échange des populations effectué en vertu de la convention conclue entre la Turquie et la Bulgarie le 2/15 novembre 1913 à Andrinople ainsi que les pourparlers engagés dans le même but entre la Turquie et la Grèce en 1914 forment de précieux précédents qui méritent d'être suivis à cet égard.

Pour ce qui est du facteur politique intérieur, c'est-à-dire du désir naturel d'affranchissement des minorités, il y a lieu de faire remarquer que l'Empire ottoman, réduit aux provinces essentiellement turques, ne contient plus aucune minorité qui puisse y former un État indépendant. En attendant que le principe des nationalités reçoive partout une application égale, l'on pouvait peut-être justifier les mouvements séparatistes ayant visé à la libération des parties de l'Empire ottoman comprenant un assez grand nombre d'habitants non turcs. La situation est tout autre aujourd'hui. De même que les Grecs établis à Marseille ne sauraient raisonnablement penser à y créer un État grec indépendant ou à l'annexer à leur métropole, de même les Grecs ou Arméniens de Turquie ne pourraient être en droit de vouloir la même chose en Turquie.

L'Etat turc, conscient de son droit de conservation, n'hésiterait pas à agir, comme tout État indépendant, vis-à-vis des attentats dirigés contre son existence.

L'impossibilité matérielle de créer un Gouvernement à part amenerait elle les minorités restées en dehors de l'application de mesures d'échange réciproque à ne pas se départir de la voie qui leur est tracée par la sagesse comme par la logique la plus saine?

Les Grecs hellènes échangés contre les musulmans de Grèce, on pourrait répondre affirmativement à cette question. En effet, en ce qui concerne les Arméniens, les relations amicales et de bon voisinage consolidées par des traités entre la Turquie et l'Arménie excluent la possibilité d'une provocation quelconque de la part de l'Etat arménien. D'autre part, ceux des Arméniens qui décideront de rester en Turquie ont déjà dû se rendre compte de la nécessité inéluctable de vivre en bons citoyens. Quant à la communauté israélite, l'esprit de loyauté dont elle a fait toujours preuve vis-à-vis du Gouvernement turc fait présumer que ses membres continueront paisiblement à collaborer avec leurs concitoyens turcs au relèvement et à la prospérité du pays.

Pour résumer, la délégation de la grande Assemblée nationale de Turquie est d'avis:

1. Que l'amélioration du sort des minorités de Turquie dépend avant tout de l'exclusion de toute espèce d'intervention étrangère et de possibilité de provocation venant du dehors.
2. Que ce but ne peut être atteint qu'en procédant avant tout à un échange des populations turques et grecques.
3. Que les meilleures garanties pour la sécurité et le développement des minorités restées en dehors de l'application des mesures d'échange réciproque, seraient celles fournies tant par les lois du pays que la politique libérale de la Turquie à l'égard de toutes communautés dont les membres ne se sont pas départis de leur devoir de citoyen turc.

No. 11

Mr. Henderson (No. 3) to the Marquess Curzon of Kedleston.—(Repeated to Foreign Office: Received January 2.)

(No. 1.)
(Telegraphic.) *Constantinople, January 2, 1923.*

GRAND National Assembly held a secret session yesterday to hear Hassan Bey's account of Lausanne negotiations.

Vote of thanks was passed to Ismet Pasha and his attitude at conference

approved. Unofficial Angora telegram reports that Ismet's previous instructions were confirmed. Public session is, I understand, to be held to-day.

Attitude of Turks will in my opinion be largely influenced by results of Paris Conference.

[E 169/1/44] No. 12.

Lausanne Conference on Near Eastern Affairs.

(Strictly Confidential.)

TERRITORIAL AND MILITARY COMMISSION.

Draft Minutes of the Fourteenth Meeting, December 13, 1922, at 11 A.M., under the Presidency of Lord Curzon.—(Received in Foreign Office, January 4, 1923.)

Present:

BRITISH EMPIRE.	FRANCE.	ITALY.
The Marquess Curzon of Kedleston. Sir H. Rumbold.	M. Barrère. M. Bompard.	Marquis Garroni. M. Montagna.
UNITED STATES OF AMERICA.	**JAPAN.**	**GREECE.**
Mr. Child. Admiral Bristol. Mr. Grew.	Baron Hayashi. Mr. Otchiai.	M. Venselos. M. Caclamanos.
ROUMANIA.	**SERB-CROAT-SLOVENE STATE.**	**TURKEY.**
M. Duca. M. Diamandy.	M. Spalaikovitch. M. Rakitch.	Ismet Pasha. Riza Nour Bey. Hassan Bey.

Also present:

BRITISH EMPIRE.	FRANCE.	ITALY.
Sir William Tyrrell. Mr. Ryan. Mr. Nicolson. Mr. Forbes Adam. Mr. Leeper. Mr. Bullard. Mr. McClure.	M. Fromageot. M. de Lacroix. M. Laporte. M. Bargeton. M. de Percin. M. Barois.	M. Arlotta. M. Guariglia. M. Salem.
UNITED STATES OF AMERICA.	**JAPAN.**	**GREECE.**
Mr. Amory. Mr. Dwight.	Mr. Nagaoka. Mr. Tani. Mr. Kobayashi.	General Mazarakis. M. Dendramis. M. Politis. M. Theotokas. M. Michalopoulos.
ROUMANIA.	**SERB-CROAT-SLOVENE STATE.**	**TURKEY.**
Colonel Dumitrescu.	M. Antitch.	Munir Bey. Moukhtar Bey. Tevfik Bey.

Secretariat-General.

M. Massigli, *Secretary-General of the Conference.*

British Empire.	France.	Italy.
Mr. Spring-Rice. Mr. Wicks.	M. Lagarde.	M. Indelli.
United States of America.	**Japan.**	**Greece.**
Mr. Belin.	Mr. Hotta.	M. Collas.
Roumania.	**Serb-Croat-Slovene State.**	**Turkey.**
M. Constantinesco.	M. Milanovitch.	Rechid Safvet Bey

Interpreter: Lieutenant-Colonel Heywood.

ISMET PASHA hoped that the discussion begun on the previous day regarding minorities in Turkey would arouse to an equal degree both the interest and also the feelings of justice and humanity of the civilised world; he also hoped that people would be guided by those feelings in forming their conclusions on the present situation.

It was not only certain minorities who had endured in Turkey during the past eight years calamities and sufferings worthy of profound and universal pity, but also all elements of the population without exception, in fact, the whole nation, including the majority.

Even if the last four years only were taken into account, it would be seen that after the Turkish nation had been completely disarmed and deprived of the resources which international law placed at the disposal of nations desirous of peace, its frontiers were violated on all sides; that all sections of the population were armed and encouraged to attack their fellow-countrymen; and that all the reactionary, mediæval elements in the country were roused against the intellectual and enlightened classes.

M. Haccius and M. Guénod, delegates of the International Red Cross Committee, returned a month ago from a journey to Anatolia, and their report appeared in the November number of the International Red Cross Review. In that report they spoke of the Greek devastations as follows:—

> "Since 1918 we have both witnessed many calamities, but we have never had to undertake a mission more painful than this pilgrimage through these ruins; nor have we ever known a sadder sight than that of the inhabitants, in whose appearance terror and stupor were still evident. Involuntarily, our thoughts wandered back towards Pompeii and Messina; but the annihilation of these cities was due to natural causes, whereas, according to eye-witnesses, the destruction of the little towns of Anatolia at a considerable distance from the front was carried out methodically by 'Christians' in the midst of the twentieth century. People in Europe may talk of military necessity; but so far as we are concerned, we could never conscientiously admit such an explanation."

Ismet Pasha added that the Greeks had recently destroyed in Western Anatolia, 27 large towns, 1,400 villages and 98,000 houses.

The purpose of the Turkish delegation in recalling these events was only to restate the fact that the indescribable calamities which had fallen on the peoples of the East were ultimately due to the prolongation of the war.

For the various elements of the population which had allowed themselves during the war to be drawn towards some Power or group of Powers there was only one way to recover their former prosperity and to enjoy the benefits created by good feeling between citizens of the same country, namely, to return to a state of peace.

The Turkish Government had constantly, and with great perseverance, made every effort to obtain for the inhabitants of Turkey the blessings of peace. It hoped that with a view to putting an end to the sufferings of the peoples of the East, this desire for peace might be equally strong among all the parties concerned.

The historical review of events which he had made at the previous meeting of the

commission was intended to indicate the point of view of the Turkish delegation. That view was based on their legitimate desire to prevent minorities in Turkey becoming weapons in the hands of foreigners, capable of being utilised for subversive purposes.

Furthermore, the Turkish delegation had on this basis accepted the rights which the civilised world recognised as being due to minorities. This was in no way contrary to the traditions of Turkey; but the Turkish people, like all other peoples, was nevertheless obliged to be extremely jealous in all that concerned its existence, independence and rights.

Unfortunately, constant wars—and especially those of recent years, which were carried on contrary to all rules—placed many Turkish subjects in the position of aggressors against their own country, and led to their forcible expatriation by the invading army. Obviously this referred to the Greek elements. A series of events, too long to recount, had rendered it necessary to exchange these elements against Turks now in Greece. The conference might include some who favoured and others who opposed this method of solving the minorities problem; but the idea of an exchange had forced itself upon the attention of all, and Ismet Pasha felt obliged to say that it had become unavoidable. The exchange of the Greeks of Constantinople was a painful necessity, but logical—an operation which justice and equality required. It would also afford a means of housing the Moslems expelled from large Greek towns. Nevertheless the humane feelings of Turkey led her to agree to excluding from the exchange the Greeks born in Constantinople, whose numbers, according to the most accurate Turkish statistics, did not exceed 200,000. On the other hand, the Turkish delegation felt bound to request that this humane act should not entail suffering for Turks emigrating from Greece; in other words, that the Moslems of Greece who would be obliged to leave their homes should be indemnified in respect of such property, movable and immovable, as they might be obliged to abandon.

The other legitimate requests which the Turkish delegation had made in connection with the exchange of Greek and Turkish populations were now being examined by the sub-commission.

On looking into the question of the exchange of the Greek population, Ismet Pasha saw no need for regarding the economic difficulties which might arise for the country in consequence as the only important factor. The transfer of any section of a population would naturally entail some stoppage and change in the economic life of a country, but it was not fair to attribute superiority in a particular sphere to a certain element of the population on the strength of this fact.

The matter which engaged the attention of the Turkish delegation and grieved them from the humanitarian point of view was the individual suffering which any transfer must cause.

Turning to the question of the Jews, Ismet Pasha said that this hard-working and intelligent element, which had never been mentioned by name in any treaty until recent days, deserved to be held up to all other sections of the population as a pattern of quiet unruffled conduct.

This afforded ample evidence of the fact that in Turkey the best way to enjoy all the rights of a peaceful citizen was to have no compromising relations with foreign countries, and to keep aloof from all special solicitude on the part of foreigners.

Take the case of the Orthodox Turks; they had never asked for treatment differing in any respect from that enjoyed by their Moslem compatriots, and it was most improbable that they would ever make such a request.

The Nestorians and Assyrians on the eastern frontier of Turkey had never made any complaint until the great war, and even during the latter they had not had to endure any suffering peculiar to themselves; there was no doubt that the return of peace would enable them to resume excellent relations with their compatriots.

As regards the Armenians now living in Turkey, there was no obstacle in the way of their continuing to lead an industrious and prosperous existence in perfect harmony with their Turkish compatriots, as had been seen before the long years of the war.

The Turkish delegation was firmly convinced that peace would bring about the disappearance of such causes of suffering as were of a political character, and would remove all possible pretext for the activities of those committees formed abroad which regarded the Armenian question as a means of livelihood or a political weapon. Turks and Armenians would then be enabled to co-operate wholeheartedly in healing the wounds inflicted on them by the war.

Ismet Pasha had frequently stated to all the interested parties since his arrival at Lausanne, and now wished to state before the conference, that the Armenians who

desired to remain in Turkey would be able to live in brotherhood with their Turkish compatriots, who would be full of solicitude for them and would willingly forget the events of the past. On the other hand, he could not help regarding the cession of an integral part of Turkish territory with a view to the formation of an Armenian national home as a fresh attempt to dismember Turkey. Abundant proof had been given that all such schemes were illegitimate and impossible. Turkey had not an inch of territory with a non-Turkish majority, either in her eastern provinces or in Cilicia, which could be detached in any way whatever from the mother country.

Besides this, Turkey, acting in accordance with international law and present usage, had concluded treaties and established good neighbourly relations with the independent Armenia which already existed, namely, the Soviet Republic of Erivan. It would be contrary to her undertakings for Turkey to contemplate the existence of another Armenia. Ismet Pasha hoped that the explanations which he had given on the question of an Armenian national home would be considered sufficient.

In the statements made on the previous day, the question of proclaiming an amnesty had been raised. Ismet Pasha was glad to state that the adoption of a measure of this kind had already been considered by Turkey.

Certain desiderata had been put forward with a view to securing freedom of movement for minorities, and also regarding the real and personal property held by them. Turkish law and the policy followed by the Turkish Government already gave, and would continue to give, full and complete satisfaction in respect of these matters.

On the other hand, the exemption of minorities from military service, apart from the fact that it would give certain privileges to a single section of citizens within one particular country, would also impede the creation and consolidation of that community of feeling which ought to exist between compatriots. Turkey therefore considered it contrary to her vital interests to accept this proposal.

The Turkish delegation also made reservations in regard to the fact that Western Thrace, which did not belong to Greece, had been mentioned in this connection.

The Turkish delegation did not share the view that the formation of a commission for the special purpose of dealing with minorities, to sit at Constantinople or somewhere in Greece, was likely to ensure the welfare either of the minorities or of the majorities. On the contrary, they could not help thinking that a commission of this kind would be apt to interfere in the affairs of the Turkish Government, and consequently quite incompatible with the independence and even the existence of Turkey. It was therefore impossible for them to consent to the creation of such a commission

Ismet Pasha must state plainly that in the matter of reciprocal rights for minorities the Turkish delegation had in mind not only the Moslems of Greece, but also those of all neighbouring States. In their view they had the right to hope that the interests of these people would be considered likewise.

Some of the statements made by Ismet Pasha during the previous meeting had been regarded as disrespectful towards the League of Nations. He hastened to correct that impression. Although no official relations existed between Turkey and the League of Nations, the Turkish Government regarded it with all due respect and consideration.

He wished to conclude his statement as follows:

The rights of minorities would be confirmed by the Turkish Government on the same base as those laid down in the treaties recently concluded in Europe, on the condition that Moslems in neighbouring countries should enjoy the same rights.

In the interest of general peace he considered it his duty to state that it was absolutely irreconcilable with the future existence of Turkey for her to accept any exceptional treatment more rigorous than that applied to other countries.

He hoped that the conference did not wish the phrase "protection of minorities" to be used as a pretext for attacks on the existence and integrity of Turkey; and he did not doubt for a moment that the conference would kindly take into consideration the point of view which he had just placed before it on behalf of the Turkish delegation.

M. VENISELOS said that the idea of a compulsory exchange of populations had not been put forward by the Greek delegation. On the contrary, such an exchange was repugnant to them. The Greek Government was ready to abstain from expelling the Turks now in Greek territory, on the condition that the Turkish Government allowed the Greeks who were at present expelled from Turkey to remain in their homes. The idea of a compulsory exchange had been suggested by Dr. Nansen,

who believed that the Turkish Government would not allow the Greeks to return to Turkey.

As regards the villages and towns destroyed by the Greeks in Asia Minor, the figures given by Ismet Pasha, on the strength of the Red Cross report, were not in accordance with fact. The truth was that there were 180,000 Turks without shelter in Asia Minor.

As regards the exemption of minorities from military service, M. Veniselos recalled the fact that in accordance with the Treaty of 1881 Greece had granted this exemption to the population of Thessaly without exacting any compensatory tax; thus Moslems resident in Greek territory had never been liable to conscription before the war, and had been enlisted during the war only; and even these, it should be observed, had never been employed in the front lines, and had only served in the rear of the army.

Ismet Pasha had said he was ready to grant to minorities in Turkey guarantees identical with those granted in other European countries. The Greek Government had no intention of asking for more than this.

M. Veniselos hoped that the Turkish delegation would not persist in refusing to accept the control which was necessary for the purpose of ensuring that the clauses adopted were really put into execution. The Turkish delegation argued that this control would infringe the sovereignty of Turkey. That argument could not be admitted, for a similar control had been accepted by the Allied States. It was not indispensable that this control should be vested in the League of Nations; provision could be made for the formation of a special body; but the important point which must in any case be laid down was the necessity for control.

LORD CURZON said that two replies had been made by the Turkish delegation; the first, delivered on the previous day before they had had time to study his proposals, was of an uncompromising nature; the second reply, which had just been delivered, was subsequent to the study of those proposals. The Turkish delegation had kindly sent him the text of their first statement, and he now had some observations to make on both the Turkish replies.

In his speech of the previous day, Ismet Pasha had in the first place appealed to history, laying special stress on the generous conduct of former Turkish monarchs towards the minorities in Turkey, and had instanced the special favour shown to the Greek Patriarchate at Constantinople by Mahomed II. That morning he (Lord Curzon) had learnt that at the last meeting of the Sub-Commission on the Exchange of Populations, the Turks had laid down, as the first condition for their consenting to the Greek population remaining in Constantinople, the removal from that capital of the Greek Patriarchate and all its institutions. Thus was the example of Mahomed II being carried out by the present Turkish Government.

Ismet Pasha's next point had been a quotation from Voltaire to the effect that in his time 200,000 Greeks were living happily at Constantinople. What was the present position? The second condition which the Turkish delegation had laid down at the sub-commission was the removal from Constantinople (*a*) of all Greeks who were not Turkish subjects, and (*b*) of all Greeks who were Turkish subjects but not born in Constantinople. That was how the present Turkish Government carried on the policy described by Voltaire.

Ismet Pasha's third point was that all the troubles with regard to minorities in bygone years were due to the propaganda and machinations of Tsarist Russia. Had the Russian propagandist influence at Constantinople ceased altogether under the Soviet régime?

Ismet Pasha had then quoted passages in his favour from many sources, including official papers published in England; that, Lord Curzon ventured to suggest, was a dangerous course to pursue. He himself could quote passages from recent Blue Books published since the war, demonstrating with unanswerable force, with figures and facts, the lamentable treatment to which the minorities in Asia Minor had been exposed during the last few years. He had refrained from doing so, because he did not want to make the situation more difficult. He did not want to retell the tale of massacre and crime. Let the Turkish delegation remember, therefore, that Blue Books could be quoted on both sides

Ismet Pasha had then referred to the Armenians, whom he depicted as a people who were quite happy and contented under Turkish rule, for whom the Turkish Government had the most fraternal feelings, whose sufferings had only been brought on them either by their own folly or by the machinations of their neighbours. Did

this picture agree with the facts? If such happy relations had always existed between these two peoples, how was it that the 3,000,000 Armenians formerly in Asia Minor had been reduced to 130,000? Had they killed themselves, or had they voluntarily run away? By what pressure had this reduction been accomplished? When the French troops recently left Cilicia, why had 60,000 to 80,000 of these happy, contented people fled after them to live in misery elsewhere, leaving their homes and families behind? Why were hundreds of thousands of Armenians now fugitives in every country in the world, when all they had to do was to return to the cordial embraces of the Turkish Government? Why was this Armenian question one of the great scandals of the world? He was delighted to hear that the Turkish Government were willing to live on terms of amity with the Armenians; but it was easy to live on good terms with a minority reduced to a miserable remnant. The eyes of the world were on Armenia and on Turkey, and the world would not be content that these wretched people should be left without any protection at the mercy of whatever the Turkish Government might be pleased to do.

That morning Ismet Pasha had made a few remarks about the other minorities. Lord Curzon would not add anything to what he had already said about the Greeks, because their case was in the hands of M. Venizelos; but he deeply regretted to hear the repeated charges in the speeches of the Turkish delegation against the Greek population and army, when similar and much greater charges could easily be brought against the Turks. Let not the scene be darkened by all these charges and counter-charges. The purpose of the conference was to make a solution for the future. For his own part, he deeply regretted that the solution now being worked out should be the compulsory exchange of populations—a thoroughly bad and vicious solution, for which the world would pay a heavy penalty for a hundred years to come. He detested having anything to do with it. But to say it was a suggestion of the Greek Government was ridiculous. It was a solution enforced by the action of the Turkish Government in expelling these people from Turkish territory. Even now, as the proceedings of the sub-commission showed, the Turkish Government was still bent on getting rid of every Greek in Constantinople, or only allowing them to remain at the price of certain cruel conditions.

Lord Curzon continued: "When we go away—and we may go quicker than you think—the whole world will look at what we have been saying and doing here during the last two days. When the world hears that we have been fighting the battle of these minorities and have received nothing in return from the Turkish delegation but platitudes, the general impression will be deplorable."

The day before he had made certain definite suggestions on behalf of the Allies, whose delegates had already seen the text of his speech and had agreed with his views.

His first suggestion was that the Turkish delegation should favourably consider the question of finding some home to which the scattered elements of the Armenian people could return in their native country. The Turkish reply was that this would involve the dismemberment of Turkey, who had not got a little bit of ground in those large areas to give for the purpose. He thought that reply would produce a very unfavourable impression.

Secondly, he had asked the Turkish delegation to consider favourably his proposal to interest the League of Nations in the minorities problem, and had pointed out that in the Paris note of the 23rd September the acceptance of that condition by the Turkish Government was part of the price the Turks were to pay for the recovery of Eastern Thrace. The reply of the Turkish delegation took a double form. On the previous day, Ismet Pasha said that the Turkish Government was afraid of the Council of the League of Nations, because busybodies outside might draw its attention to what was going on in Asia Minor as regards minorities; that the council would intervene and that Turkey would not like it. M. Barrère and Lord Curzon himself, who sat side by side at the conference table, represented the two largest colonial Empires in the world. Those Empires included countless minorities, numbering not thousands, nor hundreds of thousands, but millions of people. Both France and the British Empire were members of the League: they were not afraid of their minorities making mischief and stirring up trouble within the League, because their hands were clean. The last argument to bring against the League of Nations was that its members had anything to fear from it. Injustice could not go before it; it would be found out. With the utmost sincerity he would say to the Turkish delegation that their suspicions of the League of Nations were not only ill-founded, but most unwise.

That morning Ismet Pasha had made another reply about the League of Nations that the Turkish Government and delegation regarded it with great respect.

Why, then, should they not employ it? If one regarded a man with great respect, one did not turn him outside the door, but invited him to take a chair at one's side.

He ventured to give a word of advice to the Turkish delegates: the time had really come when they must decide their future attitude towards the League of Nations. The League had been flitting in the background of all the discussions at the conference; one day in connection with the Straits, the next in connection with minorities, and the next in connection with a general guarantee for protecting the territory of its members against attack. The League was an agency accepted for these purposes and in this sense by most of the Governments of the world. What line was the Turkish delegation going to take? Did they wish to join the League, to become members, to obtain the advantage of its guarantee, or not? An answer to this question would greatly simplify matters, not necessarily at once—as a big decision was involved—but, he hoped, at a very early stage. Many arrangements now under discussion with the Turks would be easier to carry out if the League of Nations were involved, and the protection afforded to Turkey in the future would certainly be greater. If, on the other hand, the Turkish delegation refused to have any contact with the League of Nations, there would be a very marked change, not only as regards the feeling of his own country and some others, but also as regards the solution of the problems now before the conference.

He had further suggested as an alternative to the League of Nations the setting up at Constantinople, on the one hand, and at some place in Greece, on the other, some organisation to supervise the execution of the minority clauses in the Treaty of Peace. This suggestion was at any rate worthy of consideration. What was the Turkish reply? That such an arrangement would be inconsistent with the sovereignty and independence of Turkey. But M. Venizelos did not find it inconsistent with the sovereignty and independence of Greece; why was Turkey so abnormally sensitive? This argument was advanced by the Turks in connection with every question discussed and every guarantee proposed. He implored the Turks not to take refuge in more words like these. No one wanted to interfere with their independence or sovereignty; everyone wanted to build up a sovereign independent Turkish State; but no solution would ever be reached if every statement made were to be met by Turkey wrapping herself up in her cloak and saying that the proposal was incompatible with her sovereign independence. Let the Turkish delegation deal with realities—not phrases—and abandon their suspicions; let them work loyally with the other delegations under conditions which would ensure Turkey not universal suspicion, but universal respect.

He would now deal with the reply just made by Ismet Pasha to his (Lord Curzon's) remaining suggestions. He had suggested that a general amnesty was one of the first measures to be taken. He understood, but was not quite sure, that Ismet Pasha accepted this in principle. No doubt Ismet Pasha would correct him if he were wrong.

The second suggestion concerned compounding for military service. M. Venizelos had said that conscription was not applied to the Turkish minorities in Greece. Ismet Pasha appeared to refuse absolutely to allow a compounding fee to be paid for exemption from military service. Lord Curzon had two remarks to make in this connection. Firstly, if, as the Turks now contended, a military commutation fee was impossible and illegal, how was it that the Turks were at this moment levying a fee of £T. 100 on Christian males of military age leaving Constantinople? Secondly, there was no doubt that in bygone years the law of conscription as enforced on Christian minorities in Asia Minor had been a source of great oppression, of illegal exactions and much suffering. These commutation fees had been paid hundreds of times over—and everyone knew it—by wretched men who had given what they could to escape the penalties of military service. Let them look facts in the face. If the matter were pursued further, he hoped that the Turkish delegation would adopt a much more reasonable attitude.

He was glad to hear that the Turkish delegation had accepted a proposal put forward by him on the previous day that there should be freedom of movement and power to leave the country for the minorities both in Turkey and in Greece.

There remained the question of special guarantees for the minorities in Turkey and Greece, somewhat on the lines of those introduced into the European treaties. As M. Venizelos had just said, these guarantees had been voluntarily introduced by the victorious Powers. A little while ago the Turkish Government accepted a similar obligation. Article 5 of the National Pact ran as follows:—

"The rights of minorities as defined in the treaties concluded between the *Entente* Powers and their enemies and certain of their associates shall be

confirmed and assured by us in reliance on the belief that Mussulman minorities in neighbouring countries also will have the benefit of the same rights."

There was nothing in this article about those guarantees being inconsistent with the sovereign rights of Turkey. Surely, the Turkish delegation would be proud to carry out one of the main provisions of the pact to which they were constantly appealing. It still remained to decide how these provisions should be reproduced and possibly supplemented. This was a question which could best be examined by the proposed sub-commission, but before that body began its work he desired to address a few words to his Excellency Ismet Pasha:

"I have this morning ventured to use very serious language, because in this question and in many others the Turkish delegation seems hardly to realise the position in which the conference is placed. As I have often said, this conference has one purpose only. My object and that of my Allies has always been to remove barriers in the way of attaining that purpose; the object of the Turkish delegation is apparently to create barriers. This cannot go on indefinitely. Europe has other things to do. The minorities problem excites more attention throughout the world than anything else, and by the manner in which it is solved will this conference be judged.

"If the Turks adopt an unreasonable attitude upon this: if we break down upon this: if we have to go away, will there be a single voice lifted up for the Turkish delegation in the whole world? They may get some support at Angora; I do not know. They will get nothing anywhere else. I venture to hope that the Turkish delegation will bear in mind these few remarks of mine, with which I know my colleagues agree, and which are couched in a spirit of friendship and regard, but are quite deliberate."

ISMET PASHA reserved his reply to Lord Curzon for later on.

The commission rose at 1·50 P.M.)

E 194/194/44] No. 13

Mr. Henderson to the Marquess Curzon of Kedleston. (*Received January* 1, 1923.)

(No. 1156.)

My Lord, *Constantinople, December* 29, 1922.

IN my despatch No. 1106 of the 12th December, I had the honour to inform your Lordship that orders had been given by the Angora Government for the registration of the property of those Ottoman subjects who had fled from Constantinople and the surrounding area during the last few months.

2. A report has now appeared in the local press to the effect that the Vilayet of Stamboul has been ordered by the Commissariat of the Interior to furnish detailed information with regard to the numbers, nationality and property of all non-Moslems who have left Constantinople. The reason given for this order is that in the event of an exchange of population taking place figures should be available of the number of refugees to be exchanged who could be accommodated in abandoned houses.

3. The report adds that a commission has already been formed under the presidency of Hakki Bey to carry out an investigation on the above lines and has made careful arrangements for the registration of all abandoned property in Constantinople and the surrounding districts. This commission will also draw up a list of property belonging to Greeks who have left Constantinople for political reasons. It is believed that nominal legal transfers of property to a third person which have been made in cases where it has been impossible to sell or let will be considered null and void.

I have, &c.

NEVILE HENDERSON

Acting High Commissioner.

E 168/1/44] No. 14.

Projet de Clauses relatives à la Protection des Minorités.—(Communicated by the Marquess Curzon of Kedleston (Lausanne); Received in Foreign Office, January 4, 1923.)

ARTICLE 1er.

LA Turquie s'engage à ce que les stipulations contenues dans les articles de la présente section soient reconnues comme lois fondamentales, à ce qu'aucune loi, aucun règlement, ni aucune action officielle, ne soit en contradiction ou en opposition avec ces stipulations et à ce qu'aucune loi, aucun règlement, ni aucune action officielle, ne prévalent contre elles.

ARTICLE 2.

Le Gouvernement turc s'engage à accorder à tous les habitants de la Turquie pleine et entière protection de leur vie et de leur liberté, sans distinction de naissance, de nationalité, de langue, de race ou de religion. Accepté.

Tous les habitants de la Turquie auront droit au libre exercice, tant public que privé, de toute foi, religion ou croyance dont la pratique ne sera pas incompatible avec l'ordre public et les bonnes mœurs.

Les minorités non musulmanes jouiront pleinement de la liberté de circulation et d'émigration sous réserve des mesures s'appliquant, sur la totalité ou sur une partie du territoire, à tous les ressortissants turcs et qui seraient prises par le Gouvernement turc pour la défense nationale ou pour le maintien de l'ordre public.

ARTICLE 3.

Les ressortissants turcs appartenant aux minorités non musulmanes jouiront des mêmes droits civils et politiques que les musulmans. Réserve de la délégation concernant le § 1 de cet article.

Tous les habitants de la Turquie, sans distinction de religion, seront égaux devant la loi.

La différence de religion, de croyance ou de confession ne devra nuire à aucun ressortissant turc en ce qui concerne la jouissance des droits civils et politiques, notamment pour l'admission aux emplois publics, fonctions et honneurs ou l'exercice des différentes professions et industries.

Il ne sera édicté aucune restriction contre le libre usage pour tout ressortissant turc d'une langue quelconque, soit dans les relations privées ou de commerce, soit en matière de religion, de presse ou de publications de toute nature, soit dans les réunions publiques. Accepté.

Nonobstant l'existence de la langue officielle, des facilités appropriées seront données aux ressortissants turcs de langue autre que le turc pour l'usage oral de leur langue devant les tribunaux.

ARTICLE 4.

Les ressortissants turcs appartenant à des minorités non musulmanes jouiront du même traitement et des mêmes garanties en droit et en fait que les autres ressortissants turcs. Ils auront notamment un droit égal à créer, diriger et contrôler à leurs frais toutes institutions charitables, religieuses ou sociales, toutes écoles et autres établissements d'enseignement et d'éducation, avec le droit d'y faire librement usage de leur propre langue et d'y exercer librement leur religion. Accepté.

ARTICLE 5.

En matière d'enseignement public, le Gouvernement turc accordera dans les villes et districts où réside une proportion considérable de ressortissants non musulmans, des facilités appropriées pour assurer que dans les écoles primaires l'instruction soit donnée dans leur propre langue aux enfants de ces ressortissants turcs. Cette stipulation

n'empêchera pas le Gouvernement turc de rendre obligatoire l'enseignement de la langue turque dans lesdites écoles.

Accepté — Dans les villes ou districts où existe une proportion considérable de ressortissants turcs appartenant à des minorités non musulmanes, ces minorités se verront assurer une part équitable dans le bénéfice et l'affectation des sommes qui pourraient être attribuées sur les fonds publics par le budget de l'État, les budgets municipaux ou autres, dans un but d'éducation, de religion ou de bienfaisance.

Les fonds et question seront versés aux représentants qualifiés des établissements et institutions intéressés.

ARTICLE 6.

Statu quo pour questions de juridiction — Le Gouvernement turc agrée de prendre à l'égard des minorités non musulmanes, en ce qui concerne leur statut familial ou personnel, toutes dispositions permettant de régler ces questions selon les usages de ces minorités et conformément aux mesures qui existaient à cet égard le 1er août 1914. Ces dernières mesures demeureront, à titre transitoire, en vigueur jusqu'à l'adoption des dispositions législatives nécessaires à l'exécution du présent article.

Les minorités non musulmanes devront, d'autre part, se conformer aux prescriptions de la loi concernant les formalités d'état civil, étant entendu que ces formalités ne devront revêtir aucun caractère religieux.

Le Gouvernement turc s'engage à accorder toute protection aux églises, synagogues, cimetières et autres établissements religieux des minorités précitées. Toutes facilités et autorisations seront données aux fondations pieuses et aux établissements religieux et charitables des mêmes minorités actuellement existants en Turquie, et le Gouvernement turc ne refusera, pour la création de nouveaux établissements religieux et charitables, aucune des facilités nécessaires qui sont garanties aux autres établissements privés de cette nature.

ARTICLE 7.

Ajourné — Les ressortissants turcs appartenant aux minorités non musulmanes ne seront pas astreints à accomplir un acte quelconque constituant une violation de leur foi ou de leurs pratiques religieuses, ni frappés d'aucune incapacité s'ils refusent de comparaître devant les tribunaux ou d'accomplir quelque acte légal le jour de leur repos hebdomadaire.

Toutefois, cette disposition ne dispensera pas ces ressortissants turcs des obligations imposées à tous autres ressortissants turcs en vue du maintien de l'ordre public.

ARTICLE 8.

Rejeté — La Turquie est prête à examiner, avec le Conseil de la Société des Nations, la possibilité de permettre aux ressortissants turcs non musulmans d'être exemptés du service militaire moyennant le paiement d'une taxe. Cette taxe d'exonération devra être modérée et sera la même pour les musulmans comme pour les non-musulmans, au cas où la Turquie accorderait la même exemption à tous ses ressortissants.

ARTICLE 9.

La Turquie agrée que, dans la mesure où les stipulations des articles précédents de la présente section affectent les ressortissants non musulmans de la Turquie, ces stipulations constituent des obligations d'intérêt international et soient placées sous la garantie de la Société des Nations. Elles ne pourront être modifiées sans l'assentiment de la majorité du Conseil de la Société des Nations. L'Empire britannique, la France, l'Italie et le Japon, par les présentes, s'engagent à ne pas refuser leur assentiment à toute modification des dits articles, qui serait consentie en due forme par la majorité du Conseil de la Société des Nations.

La Turquie agrée que tout membre du Conseil de la Société des Nations aura le droit de signaler à l'attention du Conseil toute infraction ou danger d'infraction à l'une quelconque de ces obligations, et que le Conseil pourra procéder de telle façon et donner telles instructions qui paraîtront appropriées et efficaces dans la circonstance.

Rejeté par la délégation turque — Au cas où le Conseil de la Société des Nations proposerait d'envoyer en Turquie un représentant pour se renseigner sur l'application des dispositions de la présente partie, la Turquie se déclare prête à accorder à ce représentant toutes les facilités nécessaires pour l'accomplissement de sa mission. Le représentant sera choisi d'un commun accord entre le conseil et le Gouvernement turc.

La Turquie agrée, en outre, qu'en cas de divergence d'opinions sur des questions de droit ou de fait concernant ces articles, entre le Gouvernement turc et l'une quelconque des autres Puissances signataires ou toute autre Puissance, membre du Conseil de la Société des Nations, cette divergence sera considérée comme un différend ayant un caractère international selon les termes de l'article 14 du Pacte de la Société des Nations. Le Gouvernement turc agrée que tout différend de ce genre sera, si l'autre partie le demande, déféré à la Cour permanente de Justice internationale. La décision de la Cour permanente sera sans appel, et aura la même force et valeur qu'une décision rendue en vertu de l'article 13 du Pacte.

ARTICLE 10.

Projet allié.	*Projet turc.*
Les droits reconnus par les stipulations de la présente section aux minorités non musulmanes de la Turquie sont également reconnus par la Grèce à la minorité musulmane vivant sur tout son territoire	Réservé — Les droits reconnus par les stipulations de la présente section aux minorités non musulmanes de la Turquie sont également reconnus par les États balkaniques et les États voisins de la Turquie aux minorités musulmanes vivant sur tout le territoire de ces pays.

Projet de Déclaration relative à l'Amnistie.

Projet allié.	*Projet turc.*
Les Puissances signataires conviennent des dispositions suivantes :	La Turquie, d'une part, et les autres Puissances, d'autre part, s'engagent respectivement à accorder amnistie pour tous les actes punissables ci-dessous mentionnés, commis postérieurement au 1er août 1914 et avant le 20 novembre 1922 — Semblable réciprocité des pays intéressés
1. Aucun des habitants de la Turquie ne pourra être inquiété ou molesté sous aucun prétexte, ou en raison de sa conduite militaire ou politique, ou d'une assistance quelconque donnée aux Puissances, autres que la Turquie, signataires de ce traité ou à leurs ressortissants postérieurement au 1er août 1914, jusqu'au 20 novembre 1922 ; tout jugement prononcé, de ce chef, à l'encontre d'un habitant de la Turquie sera intégralement annulé et toute poursuite en cours sera arrêtée.	1. Aux prisonniers de guerre de l'autre partie pour tous les actes punissables, soit en vertu de la législation pénale, soit en vertu des règlements disciplinaires ;
La Grèce s'engage à prendre, de son côté, des dispositions identiques à l'égard des habitants de la Grèce par rapport à la Turquie.	2. Aux sujets civils de l'autre partie qui auraient été internés ou déportés pour avoir accompli des actes punissables en vertu de la législation pénale ou en vertu des règlements disciplinaires, commis avant leur internement ou leur déportation ;
2. Amnistie pleine et entière sera accordée par le Gouvernement turc, comme par le Gouvernement grec, pour tous crimes et délits, même de droit commun, mais se rapportant à des événements politiques, commis dans la période prévue au paragraphe ci-dessus.	3. Aux sujets de l'autre partie pour les faits punissables commis au profit de celle-ci ;
3. Aucun des habitants des territoires détachés de la Turquie en vertu du présent traité ne pourra être inquiété ou molesté en raison de son attitude politique contraire à la Turquie ou, réciproquement, favorable à la Turquie, depuis le 1er août 1914 jusqu'au 20 novembre 1922, ou en raison	4. A leurs propres ressortissants en tant qu'ils n'appartiendraient pas à la majorité musulmane en Turquie et à la majorité non musulmane dans les pays alliés, pour les faits punissables qu'ils auraient commis au profit de l'autre partie.

En tant qu'il sera accordé amnistie selon les dispositions des paragraphes ci-dessus, de nouvelles poursuites ne pourront pas avoir lieu ; celles qui sont en cours seront annulées et les peines prononcées ne seront pas mises à exécution.

Projet allié.	*Projet turc.*

du règlement de sa nationalité en vertu du présent traité.

4. Le Gouvernement turc se déclare prêt à laisser à la décision de la Société des Nations les réclamations éventuelles de particuliers contre les décisions prises par les autorités alliées depuis le 30 octobre 1918 pour réunir des familles dispersées par suite des circonstances de la guerre et pour restituer les biens.

Le 26 décembre 1922.

No. 15

The Marquess Curzon of Kedleston to Sir Eyre Crowe.—(Received January 4.)

(No. 173
(Telegraphic.) *Lausanne, January 3, 1923*

ACCORDING to French, Turks are arguing that if detached territories are to be responsible only for pre-war Turkish debt, which is the view hitherto insisted upon by the Allies, such territories are regarded as detached from 1st August, 1914, and should therefore take over from that date the Turkish liability to settle all claims for damage since that date within their borders other than war damage, but including requisitions, whether such are made by Turks, natives locally or Allies. If this were agreed to Turks would drop any claim for compensation in territory not detached but occupied by Allies other than Greece since the armistice.

On the other hand, if our demand that claims are only to be met since the armistice were admitted, then detached territories should be liable for their share of all debt up to the armistice. This would certainly involve much heavier financial burden on Irak and Palestine, whose share of debt would probably be at least double.

French are disposed to give way in the matter in the last resort. They consider claims that Syria will have to meet will much exceed claims on Palestine and Irak. As, however, French claims in Syria are mainly in respect of injury to railway property, such claims would probably be settled by modifications of concessions rather than in cash, whereas claims against Irak and Palestine would probably have to be settled in cash.

There is reason to believe that French have received certain assurances as to recognition of maintenance and adjustment of pre-war concessions if Turks can secure financial adjustment on these lines.

In my opinion, even if any concessions of this nature, which involve payment to Turkish subjects for damage done by Turkey, were to be made, this is not the moment to make it, but question should be reserved until time comes for striking a final bargain on the whole treaty, and satisfaction should then be obtainable on other important contested financial points such as—

1. Date of March 1920 for commencement of payment of annuities by detached States.
2. Waiver of claim by Turks for ships.
3. Retention of £25 millions gold by Allies.

Please ascertain from Treasury and Colonial Office what would be magnitude of resultant charge on territories concerned, and their views generally on proposal.

No. 16

The Marquess Curzon of Kedleston (No. 69) to Mr. Henderson.—(Repeated to Foreign Office. Received January 4.)

(No. 174.)
(Telegraphic.) D. *Lausanne, January 4, 1923.*

FOLLOWING for General Officer Commanding:

"French President of Council at Paris has shown British Prime Minister a telegram from Constantinople according to which Turks complain that we are

entrenching ourselves at Chanak in contravention of Mudania Convention, and they may use this as a pretext for rupture. Please telegraph facts to me at once, and repeat to Paris and London. Turkish contention is doubtless unfounded. But you will understand extreme importance of depriving them of all pretext for hostile action."

(Repeated to Paris.)

No. 17.

Sir R. Graham to the Marquess Curzon of Kedleston.—(Received January 4.)

(No. 4.)
(Telegraphic.) R. *Rome, January 4, 1923.*

YOUR telegram No. 417.

Note received to-day from Italian Ministry for Foreign Affairs states that export permits for war material for Greece and Turkey have been suspended as from 1st January.

(Repeated to Constantinople and Athens.)

[E 14379/76/44] No. 18.

The Marquess Curzon of Kedleston to Mr. Bentinck (Athens).

(No. 20.)
Sir, *Foreign Office, January 4, 1923.*

WITH reference to my telegram No. 1 of the 1st instant regarding the embargo which has recently been imposed on the export of war material to Greece and Turkey, I would explain that this matter was first taken up with the French and Italian Governments at the end of November. It was then considered that recent developments in the Near East might be held, by terminating Greco-Turkish hostilities, to have liquidated the neutrality adopted by the Allies in those hostilities. On the other hand, the situation at that time was dominated by the danger of hostilities between the Turkish forces and those of the three principal Allies, and in those circumstances it appeared highly imprudent for the Allied Governments to continue to allow the supply of arms to the Turkish forces with which they might not inconceivably find themselves engaged. His Majesty's Government therefore proposed to the French and Italian Governments that the three Allies should take all possible steps to prevent any arms from reaching Turkey from their respective territories.

2. This proposal the French Government accepted, but they subsequently suggested that the export of war material should be prohibited not only to Turkey, but also to Greece. It was not considered desirable to enter into a controversy with the French Government over the question whether or not Greece should be brought under the embargo. The French proposal was accordingly accepted and arrangements were made with the Board of Trade that it should take effect in this country as from the 1st instant. So far no reply has been received from the Italian Government.*

I am, &c.
CURZON OF KEDLESTON.

[E 13/1/44] No. 19.

The Marquess Curzon of Kedleston to Sir R. Graham (Rome).†

(No. 32.)
Sir, *Foreign Office, January 4, 1923.*

I TRANSMIT to you herewith copies of correspondence regarding Mosul exchanged with Ismet Pasha by the British delegation at the Lausanne Conference.‡

2. I request your Excellency to communicate a copy of the enclosures in this despatch to the Government to which you are accredited for its confidential information.

* See No. 17.

† Also to the Marquess of Crewe (Paris), No. 58, and Sir A. Geddes (Washington), No. 19.

‡ Nos. 832 and 838 of Part II; and No. 4.

Copies have already been given to the French, Italian and United States delegations at Lausanne.

I am, &c.
CURZON OF KEDLESTON.

[E 219/1/44] No. 20.

Lausanne Conference on Near Eastern Affairs.

(Strictly Confidential.)

TERRITORIAL AND MILITARY COMMISSION.

Draft Minutes of the Fifteenth Meeting, December 14, 1922, at 10·30 A.M., under the presidency of Lord Curzon.—(Received at Foreign Office January 5, 1923.)

Present:

BRITISH EMPIRE.	FRANCE.	ITALY.
The Marquess Curzon of Kedleston.	M. Barrère.	Marquis Garroni.
Sir Horace Rumbold.	M. Bompard.	M. Montagna.

UNITED STATES OF AMERICA.	JAPAN.	GREECE.
Mr. Child.	Baron Hayashi.	M. Veniselos.
Admiral Bristol.	Mr. Otchiai.	M. Cachamanos.
Mr. Grew		

ROUMANIA.	SERB-CROAT-SLOVENE STATE.	TURKEY.
M. Duca.	M. Spalaikovitch.	Ismet Pasha.
M. Diamandy.	M. Rakitch.	Riza Nour Bey.
		Hassan Bey.

Also present:

BRITISH EMPIRE.	FRANCE.	ITALY.
Sir William Tyrrell.	M. de Lacroix.	M. Arlotta.
Mr. Ryan.	M. Laporte.	M. Guariglia.
Mr. Forbes Adam	M. de Percin.	M. Galli.
Mr. Leeper	M. Barois.	
Mr. McClure.		

UNITED STATES OF AMERICA.	JAPAN.	GREECE
Mr. Amory.	Mr. Naguoka	General Mazarakis.
Mr. Dwight.	Mr. Tani.	M. Dendramis.
	Mr. Kobayashi.	M. Politis
		M. Theodokas.
		M. Michalopoulos.

ROUMANIA.	SERB-CROAT-SLOVENE STATE.	TURKEY.
Colonel Dumitrescu.	M. Antitch.	Munir Bey.
		Moukhtar Bey.
		Tevfik Bey.

Secretariat-General.

M. Massigli, *Secretary-General of the Conference.*

BRITISH EMPIRE.	FRANCE.	ITALY.
Mr. Spring-Rice.	M. Lagarde.	M. Indelli.
Mr. Wicks		

UNITED STATES OF AMERICA.	JAPAN.	GREECE.
Mr. Belin.	Mr. Hotta.	M. Collas.

ROUMANIA.	SERB-CROAT-SLOVENE STATE.	TURKEY.
M. Constantinesco.	M. Georgevitch.	Rechid Safvet Bey.

Interpreter: Lieutenant-Colonel Heywood.

ISMET PASHA said that he had listened attentively and with great respect to the speech made by Lord Curzon, president of the British delegation. He was unfortunately compelled to note that the sentences and words which Lord Curzon had used differed from those employed by him hitherto. The truth, as shown by historical evidence ever since the days of Mehmed II, was that the minorities, by continual and persistent misuse of the privileges granted to them and by making themselves the instrument of foreigners, had brought about the deplorable results which had ensued. For his own part Ismet Pasha regretted most acutely that the present situation should have arisen.

In response to Lord Curzon's enquiry, Ismet Pasha hastened to state that he had no complaint to make against Soviet Russia. Lord Curzon, when answering Ismet Pasha's statements regarding the affection shown by the Turkish Government towards the loyal Armenians, had enquired how it came about that out of 3,000,000 Armenians formerly resident in Turkey only 130,000 remained, and why 60,000 of the latter had emigrated into Cilicia. The Turkish delegation thought that there must be an error in the figure of 3,000,000 Armenians in Turkey, for they had never seen such a figure in any statistics. The work of M. Vitale Cuinet, from which most of the statistics published in Europe were derived, spoke of about 1,400,000 Armenians living in Turkey, the "Encyclopædia Britannica" of 1,500,000 and the official Turkish statistics of 1,290,000. The Armenians inhabiting parts of the Ottoman Empire which had been detached from Turkey must be deducted from all these figures. This proved that there had never been 3,000,000 Armenians in Turkey; in fact it was notorious that there was no such number of Armenians in the whole world. The Armenians were known to have left Cilicia before the departure of the French, and, consequently, before the arrival of the Turkish troops, and they acted thus despite the persistent endeavours of the French authorities to persuade them to remain in their homes. This population had been compelled to go, against its own will, by agents of revolutionary committees, whose objects were political. The people who expatriated themselves in this way confessed to the Moslems before their departure with tears that they had no desire to leave, but were afraid of the revolutionary committees. Moreover, these facts were known to everybody. What, then, had become of those who were now missing according to the statistics just given? The answer must be sought in the wars which had taken place and had been forced upon Turkey. Also these wars had also resulted in the transformation of the happiest, richest and most famous regions of Anatolia into a field of ruins. The Moslem population in the eastern provinces of Turkey had dropped from 4,000,000 to less than 3,000,000, and in the western provinces which had been invaded, from 3,500,000 to about 2,000,000. Those missing—*i.e.*, nearly 2,500,000 people—were victims of the disastrous years of war. However, Ismet Pasha, in accordance with the desire expressed and the example set by Lord Curzon, also desired to leave the past aside, for he, too, was most anxious to make progress and attain peace. Lord Curzon had said that he detested the compulsory exchange of populations; but at the meeting of the commission on the 1st December, Lord Curzon had declared that no solution was possible except the exchange of populations, and that, as voluntary exchange could not give any result, recourse must be had to compulsory exchange. He had added on the previous day that it was not fair to say that this proposal had first been made by the Greek Government.

Ismet Pasha further recalled the fact that the first proposal respecting this question had been made by an unofficial person, Dr. Nansen, whose unofficial capacity had been explicitly pointed out by Ismet Pasha himself. After Ismet Pasha the first official person who had spoken on this subject had been M. Veniselos, and then Lord Curzon. Moreover, a sub-commission had been formed for the sole purpose of studying this question and was on the point of completing its task.

Lord Curzon had asked whether it was impossible to find a corner for the Armenians in a country as large as Turkey. Ismet Pasha ventured to observe in this connection that there were other Powers whose possessions covered an area incomparably greater than that of Turkey. Moreover, the regions quite recently detached from Turkey were enormous, and the territory left to Turkey was inhabited by a Turkish majority and each part of it formed an indivisible whole.

The Turkish population of the eastern provinces such as Cilicia had made countless sacrifices in order to defend their homes against invasion or foreign occupation, and could not possibly abandon their dwellings to others.

Lord Curzon, when speaking on the subject of minorities, had stated that his country possessed many colonies which included many minorities, but Great Britain did not fear the League of Nations because her hands were clean. Ismet Pasha must state once more that there was a misunderstanding on this point; there had never been any question of Turkey fearing the League of Nations either. The hands of the Turks now at work in their own country, which had been devastated and ruined by foreign occupation, were quite peculiarly clean. Those hands had never violated any foreign country, and could without fear sustain comparison with any other hands.

Lord Curzon had said that, as Turkey professed to respect the League of Nations, she should not turn the League outside the door, but offer it a seat; and he had enquired whether Turkey desired to enter the League. The Turkish delegation had never said that Turkey would not enter the League. On the contrary, she was ready to enter it as soon as peace was concluded. She would then express her opinion on this subject, and the strong desire of the Allied Powers to see her enter the League would be satisfied.

Lord Curzon had said that he found the Turks highly sensitive respecting questions of supervision; that they regarded everything connected with supervision as an attack on their sovereignty; and that M. Venizelos, on the other hand, did not view the question in the same light. Lord Curzon had been so good as to add that he implored the Turks not to take refuge in mere words; that no one at the conference had any such ideas, and that one must deal with realities, not phrases.

Ismet Pasha begged Lord Curzon to excuse him for insisting on this subject. Turkey was acutely sensitive on this matter, and her fears were unfortunately well founded, for up to the present day Turkish sovereignty had always been infringed on the plea of humanitarian considerations.

The integrity of Turkey had frequently been guaranteed by means of promises from the highest authorities and also by solemn treaties, and yet Turkish sovereignty had repeatedly been violated and Turkey had been dismembered again and again. How could Turkey help having misgivings? Surely Lord Curzon would admit that in this respect the Turkish delegation were right.

As regards the tax for exemption from military service, Lord Curzon had referred to M. Venizelos's statement that the Moslems of Greece were not liable either to military service or to an exemption tax, but that during the war they had been enlisted in the army. Ismet Pasha wished to make an observation on this matter. By the Treaty of Athens between Greece and Turkey, Greece undertook to abstain for three years from imposing military service or an exemption tax on Moslems remaining in Greece; but, in spite of this treaty and before the expiration of the period of three years, Moslems had been enlisted in the army.

The present tax in Anatolia was levied on all who, for one reason or another, did not perform military service, whether Moslems or not.

Lord Curzon had said that it would be in accordance with the Turkish National Pact for Turkey to accept the principles contained in the treaties concluded with other Powers respecting the guarantees to be given to non-Moslem minorities.

Turkey did not think, and never would think, of going back on the National Pact, and Ismet Pasha renewed the assurance that he accepted the principles contained therein.

In these circumstances he did not understand why Lord Curzon should have said that the attitude adopted by the Turkish delegation in the question of non-Moslem minorities would create a bad impression on the public opinion of the world. Ismet Pasha added that the action of the Turkish delegation in agreeing to recognise the principles in question was due, not to Lord Curzon's speech, but to their fidelity to the Turkish National Pact, all portions of which formed an indivisible whole.

Lord Curzon had stated that the problem of non-Moslem minorities aroused great interest in the world, that the Turks were constantly creating difficulties and that, if on this account the conference broke down and dispersed, not a single voice would be

raised in the whole world in defence of Angora, and he had added that he used this language deliberately.

If these words contained a threat of rupture, and if they meant that Turkey would be responsible for it, the question could not be put in this way, for, as Ismet Pasha had already stated, he had agreed to recognise the rights of the non-Moslem minorities before Lord Curzon uttered these words.

It was, moreover, impossible to prove by a single instance that the Turkish delegation were creating difficulties at the conference. The Turks had never yet retarded the solution of any problem. The Turkish delegation had constantly shown their goodwill in favour of peace. Concessions had always been demanded of them and they had always made sacrifices for the sake of world peace. For their part, they would continue to work for peace. Should a rupture take place notwithstanding, and should the minorities problem be regarded as a convenient pretext for it, the Turkish delegation were convinced that, once these truths were known, the voices raised in favour of Turkey would come not only from Angora, but also from the conscience of all peoples.

Ismet Pasha wished to repeat once more that the Turkish delegation had come to Lausanne to conclude peace, and demanded that right and justice should be done to all.

Ismet Pasha summed up his statements as follows:—

1. Turkey looked forward with pleasure to associating herself with the League of Nations upon the conclusion of peace;
2. She recognised the rights of non-Moslem minorities in accordance with the principles accepted by various European States and embodied in treaties;
3. She would proclaim an amnesty.

These statements were due to the fact that it was absolutely necessary for Ismet Pasha to answer the commission in regard to the treaties. They had been made with all possible care and deference.

As they formed the answer to statements made at the commission, Ismet Pasha requested that they should appear *in extenso* in the minutes of the commission, and he proposed that the sub-commission should continue its work on the bases already laid down.

LORD CURZON was glad to recognise the different tone of the speech just delivered by Ismet Pasha from that of the two speeches made by him on the same subject during the past few days. His Excellency had recognised the extreme importance of the minorities question and the serious impression which a hostile or unfavourable attitude on the part of the Turks would produce on the world, and his latest speech certainly tended to remove some of the anxieties which Lord Curzon and other delegates present had felt. Lord Curzon would not pursue in a controversial spirit the debating points made by Ismet Pasha in the earlier part of his speech, as he wished to get ahead with business. He would only say that the figures which he had given regarding the Armenians were derived from a careful study of official statistics, and that, as regards the flight of the Armenian population from Cilicia, he had underrated, not overstated, the numbers. No doubt whatever existed as regards the headlong rush of fugitives to the coast which had taken place.

Turning to an examination of particular points in Ismet Pasha's speech, Lord Curzon observed that Ismet Pasha again spoke unfavourably of the desire of the Armenians for a habitation in Turkish territory. The Turkish delegation had recently indicated that Turkey needed the intelligence, commercial capacity and industry of the Armenians with a view to the future economic prosperity of Turkey. The Armenians had lived in Anatolia for centuries. Was it not desirable for the Turks themselves that the Armenians should live in their midst in contentment and loyalty? Ismet Pasha had said more than once that all the troubles with the minorities in the past, and particularly with the Armenians, arose from outside intrigue. Surely it was well worth while for the Turkish Government, if they brought back the Armenians, to treat them in such a way as would make them loyal Turkish citizens. He trusted the Turkish delegation would not reject his suggestion, and would allow it to be carefully examined in the sub-commission.

As regards the commutation tax for exemption from military service, Lord Curzon was not quite clear what the proposal of the Turkish delegation was. He understood them to say that this tax was levied on all their population, whether Turkish or not. That might be, but the point for which he was contending was that the Christian

minorities in Asia Minor should be completely exempt from military service on payment of the tax. His studies of Turkish history showed that military service had been the cause of great oppression of the minorities. This was another matter which deserved careful examination by the sub-commission.

He now came to much the most important point in Ismet Pasha's speech, namely, his reference to the League of Nations. Ismet Pasha's previous attitude on this question had caused much disappointment, but he had just told the commission with perfect clearness and sincerity that the Turkish Government was ready to enter the League on the conclusion of peace. In another part of his speech Ismet Pasha had said: "Nous sommes ici pour la paix"; it therefore followed that the sooner peace was achieved the sooner Turkey would enter the League, and Lord Curzon hoped to see her become a member before many weeks.

Ismet Pasha's declaration was specially welcome for two reasons: firstly, because Turkey would be enabled to rely in future more than hitherto on the co-operation of other European countries; secondly, because her willingness to join the League would provide a solution of several questions now under discussion at Lausanne. This concerned not the minorities question alone, but at least three others also in which the labours of the conference would be very materially facilitated.

In the last part of his speech Ismet Pasha had said that the Turkish Government, following the pledge contained in one of the articles of the National Pact, entirely accepted the affirmation of the general rights of minorities as contained in some of the European treaties. Lord Curzon wished to observe in this connection that he was not quite sure whether the European treaties wholly covered the ground; this was a matter which should be carefully examined by the sub-commission. He desired to remind the Turkish delegation that under the law of Islam there already existed certain very special religious and educational privileges for the non-Moslem communities in the Turkish Empire; it was very desirable that these privileges should not be cancelled or superseded by the general rights that were recognised in the minority clauses of the European treaties. To give instances of what he meant, there was the famous Imperial decree of Gulhane, issued by Sultan Abdul Mejed in 1839, which confirmed the privileges already granted to religious communities in the Ottoman Empire; after the Treaty of Paris in 1856 a new Imperial decree was issued guaranteeing the same privileges, which were again confirmed by article 67 of the Treaty of Berlin; finally, there was the fundamental and constitutional law of the Ottoman Empire of 1876, which expressly guaranteed the religious privileges enjoyed by minorities. The Turkish delegation would readily admit that it would not be right for these privileges and guarantees to be suppressed in future. He would draw the special attention of the sub-commission to these provisions in the law of Islam with a view to incorporating them in the sum total of guarantees to be secured for minorities.

He had one more observation to make. Under the minority clauses of the European treaties, the effective custody of the guarantees was placed in the hands of the League of Nations. He was therefore all the more glad to hear Ismet Pasha's declaration in regard to the League. When once Turkey had joined the League, she need have no fear of troublesome questions being raised in her absence, for whenever any questions arose Turkey would have the right to be heard, to take part in the discussion, the decision and the execution of any measures which might be adopted. This was the most gratifying feature of the commission's proceedings that morning.

On behalf of his colleagues and himself he thanked Ismet Pasha for his statement and wished all success to the sub-commission in the work on which it was now to embark.

M. BARRERE said that a highly interesting discussion had arisen out of the minorities problem, and he was glad to see that very real progress towards conciliation had been made. He was most happy to note that Ismet Pasha and the Turkish delegation had approached this question with true regard for equity and justice, as the conference had felt sure they would do. He shared with Lord Curzon the hope that this spirit of conciliation would prevail in the sub-commission, to the benefit of the States represented at the conference and also to that of the Turkish State.

MARQUIS GARRONI said that he too was glad that the discussion had caused all ambiguity to disappear, and had put in their true light the opinions expressed at the previous meetings. He had no doubt that with the goodwill of all parties, and of the sub-commission set up for the purpose of investigating the various points

considered by the commission, the conference would attain the object desired by all — agreement and peace. He hoped that the sub-commission which was about to begin its labours would be able to terminate them to the satisfaction of everyone.

M. VENIZELOS read the following statement:—

"The Greek delegation wish to state that the idea of a compulsory exchange of population between Turkey and Greece has always been repugnant to them, but their consent to join in discussing the question has been forced upon them by a stern necessity, namely, the expulsion of 650,000 Greeks from Anatolia—to which must be added 300,000 Greeks who have left Eastern Thrace since the evacuation of that province by the Greek army."

"The discussion of this matter has naturally attracted considerable attention, and persons of high authority, such as Lord Curzon and the head of the United States delegation, have plainly indicated the true character of the methods proposed.

"Both the Greek and the Turkish populations involved in the compulsory exchange are protesting against this procedure. Stirred by the instinctive feeling of attachment to the land and homes where their ancestors have lived for centuries, the people who have already left refuse to believe that they may be severed from their native soil for all time, while those who may be compelled to leave display their reluctance and dissatisfaction by all the means at their disposal

"In view of these considerations, the Greek delegation, who do not in the least desire that the Turkish population now within the frontiers of Greece should leave Greek territory, expressed their willingness to give up all idea of a compulsory exchange and made a proposal to that effect, subject to the following conditions:—

"1. That the Greek population remaining in Anatolia—estimated by the Greek delegation at 300,000, but by the Turkish delegation at not more than 250,000, including 50,000 Turkish-speaking persons of Orthodox faith, who would stay in any case—should not, on any pretext, be compelled to leave that province or abandon their regular homes for the purpose of being transported elsewhere.

"2. That any Greek inhabitants of Anatolia who have taken refuge in Greece and wish to return to their homes (where they could contribute greatly to the economic restoration and prosperity of the country) should be allowed to do so as and when the difficulties created by the conflict, now fortunately over, disappear.

"3. That there should be similar treatment for the inhabitants of Eastern Thrace, who should likewise be free to return to their homes when peace is concluded and as soon as the Turkish Government consider their return compatible with the interests of the province in question.

"4. That the Greek inhabitants of Constantinople should enjoy the full right to remain in that city if they so desire, and those who have already left Constantinople should be free to return thither.

"5. That the Greek Government should undertake not to resort to any measures which might be regarded as tending to compel Turkish residents in Greece to leave Greek territory, and that it should be ready to grant these ethnical minorities the same guarantees, with a view to their intellectual and moral development, as those which the Turkish Government might grant to the Greek ethnical minorities left in or returning to Ottoman territory, in accordance with the clauses set forth below.

"6. That there should be a special agreement, which the Greek Government is ready to discuss and conclude without delay, in regard to the exchange of (*a*) civilian prisoners, (*b*) prisoners of war, (*c*) males remaining in Asia Minor whose families continue to reside in Greece.

"This proposal was submitted to the sub-commission set up by the first commission of the conference to examine the question of the exchange of prisoners and of populations, and at that sub-commission the Greek delegation earnestly begged the Turkish delegation to be so good as to express their opinion on the subject.

"The Turkish delegation, however, were equally insistent in denying that the sub-commission was competent to deal with the matter. The Greek delegation therefore have the honour to renew their proposals before the whole conference, with the two-fold purpose of defining the attitude of their own Government in the matter and of inducing the conference to exercise its powerful influence with a view to persuading the Turkish delegation to accept the proposals outlined above.

"The Greek delegation further wish to state that if the idea of exchanging populations should prevail despite the various arguments brought forward and the proposals which they have made, the Greek Government reserves the right to limit the application of the agreement respecting compulsory exchange to those districts of the Greek Kingdom for which it considers the system indispensable. The Greek Government will thus abstain to the best of its ability from infringing the natural and undisputed right of all populations to inhabit the districts where they are settled.

"The Greek Government will in fact only ignore this right when compelled to do so by unavoidable necessity and force of circumstances, and after doing all that is humanly possible to assert this right and induce everyone to recognise it."

In reply to Ismet Pasha, M. Veniselos added some remarks on the favourable treatment which Moslems had always enjoyed in Greece. In this connection he quoted the following examples:—

By the treaty of 1881, which gave Thessaly to Greece, Moslems established in that province were given a period of three years within which they could exercise the right to opt for Ottoman nationality. During that period they were exempted from all military service. This provision was scrupulously observed by the Greek Government.

The Treaty of Peace, signed at Athens on the 1st November, 1913, likewise granted exemption from military service to those who might opt for Ottoman nationality within three years. In accordance with this stipulation the Greek Government had never thought of imposing military service on the Moslems of the annexed territories during that period. Those who opted for Turkish nationality in accordance with the treaty were bound to leave Greek territory within the same period; but as such emigration was at that time very difficult owing to the European war, Greece allowed these Moslems to remain in her territory beyond the stipulated period without ever thinking of subjecting them to military service. Even during the European war, when no Greeks enjoyed the right of exemption from military service, this privilege was granted to Moslems alone; and those Moslems who did not avail themselves of the privilege were enlisted for service in the Commissariat.

In support of his statements in regard to the benevolent treatment given to Moslems in Greece, M Veniselos quoted the following evidence from a work of Marshal Franchet d'Esperey (January 1911):—

"The Moslems do not abstain from the status of electors with the right of eligibility, and yet even to-day they continue to have recourse to Turkish protection for the defence of their interests when a case arises.

"The Greek Government, in its anxiety to avoid friction, has always tolerated this double nationality, and has even prolonged by royal decree the period allowed for exemption from military service—to such an extent, moreover, that to this day Moslems continue to be relieved of this obligation and are not compelled to pay an exonerating tax in return.

"The broadest toleration is observed as regards religious ceremonies in public.

"At Larissa during Ramadan the opening and closing of the fast are announced by the firing of a gun, and at the hour indicated by the Moufti salvos of Greek artillery proclaim the beginning of Bairam.

"The hierarchical organisation of the Moslem communities has remained autonomous. The Moufti is appointed by the communities themselves."

M. Veniselos thought it well to recall these facts in the hope that the Ottoman delegation, being acquainted with the broad and tolerant attitude of the Greek Government towards Moslems, would be persuaded to accept the guarantees requested for the protection of minorities in Turkey.

M. Veniselos proceeded to refute the allegations made by Ismet Pasha as regards the Greeks of Turkey having revolted against the Turkish administration. Throughout the history of the Turkish Empire no Greeks had ever revolted against Ottoman rule at any place in Thrace or Asia Minor or at Constantinople. It was only after the armistice of Mudros, when territorial changes in the Ottoman Empire were contemplated, that the Greeks of those territories had sought to unite themselves with their fellow-Greeks. Surely this was a most natural feeling. M. Veniselos further expressed the firm conviction that the Greeks who continued to reside in Turkey after the conclusion of the treaty would be thoroughly loyal subjects of that State.

ISMET PASHA expressed his thanks for the conciliatory sentiments displayed by Lord Curzon and the representatives of the other Powers. He hoped that the investigation of this problem would not be used as a pretext for further intervention, and that there would be no outside interference in this connection with the drafting of Turkish internal legislation. He would accept the stipulations regarding minorities contained in the European treaties, but could not go beyond this point. He proposed that the question should be examined on a general basis.

Ismet Pasha was surprised to hear M. Veniselos contradict his previous statements in regard to the good feelings of the Turks and the exchange of populations. This matter had been investigated in the sense of M. Veniselos's own wishes and suggestions, and that was the line on which the discussion had hitherto proceeded at the special sub-commission. The Turkish delegation therefore thought that the sub-commission should continue to examine the problem.

M. VENISELOS repeated that he had never regarded the idea of a compulsory exchange of populations as an equitable and humane solution of the problem. He had always held that the only principle which could provide an acceptable solution was that of reciprocal and voluntary emigration. In his great anxiety to facilitate the work of the conference he had gone so far as to accept Dr. Nansen's proposals for a compulsory exchange, but only because he had become firmly convinced that any other settlement of the refugee problem would be rejected by the Ottoman delegation. If there was a misunderstanding on this subject, and if the Ottoman delegation were prepared to consider another solution of the problem based on principles which were more humane and more in accordance with the natural rights of populations, he was prepared to withdraw his consent to the method of compulsory exchange—a method which he had only accepted under stress of necessity. He expressed his willingness to engage in a discussion on this subject, and would even be disposed to accept whatever date the Turkish delegation might fix for the return of the refugees to their homes.

SIR H. RUMBOLD wished to make clear one particular point in regard to the exchange of populations.

The Allied High Commissioners at Constantinople had dealt with the question in the following circumstances: When the Greek population fled from Asia Minor in hundreds of thousands, the High Commissioners met to examine the problem. Dr. Nansen, who was at the time in Constantinople and had come there for the purpose of dealing with the question of refugees, was invited to attend these meetings, and the idea of an exchange of populations came from him. The High Commissioners, who realised the magnitude of the problem, were of the opinion that it must be settled by the conference and not by themselves. It was at this point that Dr. Nansen approached Hamid Bey, the representative of the Angora Government at Constantinople, and the latter replied categorically that the question of exchanging populations could only be considered on a compulsory basis.

M. SPALAIKOVITCH said that Turkey, by agreeing to conform herself to the new principles inaugurated and adopted by Europe as regards minorities, as had already been done by so many other States, was taking her place among modern States. He congratulated the conference and the Turkish delegation on this achievement.

(*The Commission rose at* 12·10 P.M.)

No. 21.

Mr. Henderson to Sir Eyre Crowe.—(Received January 5.)

(No. 3.)
(Telegraphic.) R *Constantinople, January 4, 1923.*

FOLLOWING are main points of Reouf Bey's speech in Grand National Assembly yesterday as reported in the press:

Allies will end by recognising justice of Turkish claim to Karagatch and to plebiscite in Western Thrace. Customs question can be settled by arbitration and that of indemnities on basis of reciprocity.

No Armenian home can be recognised outside present Armenian Republic.

Freedom of Dardanelles is subordinate to security of Constantinople and Sea of Marmora. Turks can agree to no treaty without adequate guarantees. No control of Straits zone can be admitted.

Mosul is included in National Pact and cannot be separated from Turkey.

Threats cannot intimidate Turks, who must wait till the end of negotiations to see who are their true friends and enemies.

With regard to Capitulations, Turks are determined to keep within National Pact.

Turkey requires payment for men-of-war requisitioned in 1914 and reparation for devastations in Anatolia.

Speech concludes with reference to Paris Conference, result of which Turks must await with confidence, relying on God, their faith and will, and finally their force.

Debate continues to-day.

(Sent to Lausanne, No. 5.)

No. 22.

Mr. Henderson to Sir Eyre Crowe.—(Received January 5.)

(No. 4.)
(Telegraphic.) *Constantinople, January 5, 1923.*

FOLLOWING from General Officer Commanding, addressed to Lord Curzon, No. 7:

"Your telegram No. 60.

"No British act contrary to Mudania Convention has been taken by any troops under my command. Several reports of this nature have been received. My troops on Asiatic side are less in numbers than at the time of Mudania. Nothing except erection of huts, ordinary trench drainage and maintenance and road repair has taken place. Official communiqué in Turkish press recently made charges against us together with complaints that we had sent extra artillery to Chanak and 8,000 Greeks and Armenians disguised as labourers. This is totally untrue, and I have issued the following *démenti*:

"'Reference to Turkish official communiqué of 27th December, 1922.

"'It is to be officially denied that any new trenches have been dug or any new barbed wire erected on Biyouk Chamlija Hill, neither have any trenches been dug on slopes south of Merdiven Keuy or in neighbourhood of Bekiar Dere or at Chanak. The only military work of this nature which has been carried out at above-mentioned places is that of maintenance and drainage of existing works, which is in no way contrary to Mudania Convention.'

"In my opinion, these charges are being made to counteract fact, when it comes to light, that Refet is busy organising an army in Eastern Thrace which now amounts to some 18,000 in place of 8,000 gendarmes allowed by Mudania Convention. Only to-day we have stopped a gun on its way to Thrace."

(Repeated to Paris, telegram No. 1.)

No. 23.

The Marquess Curzon of Kedleston to Sir Eyre Crowe.—(Received January 5.)

(No. 177.)
(Telegraphic.) D. *Lausanne, January 5, 1923.*

I HELD a meeting of my colleagues this morning in order to get quit of stagnation which seemed to have settled down on everything here, and to bring matters to a head within reasonable period of time.

I began by arguing that breakdown at Paris, so far from reacting upon our unity here, ought to reinforce it with the view to reaching some settlement somewhere, and this reasoning was warmly endorsed by M. Barrère, who is going again to Paris on Sunday in order to keep President of the Council up to the mark. We then settled procedure under which sub-committees are all to report in next few days and main commissions to meet day after day next week to receive their reports and to indicate final opinions of Allies. This will take us till middle of the week. By then our draft treaty should be ready, and we shall hand it to Turks with a covering letter indicating the numerous points which we might have inserted in draft, but upon which we have decided not to insist in order to arrive at a peaceful settlement.

In view of reports from Angora and Constantinople, and of almost incredible mixture of ignorance and pride that prevails at former place, I cannot hold out much hope of Turkish acceptance. On the other hand is to be set alleged personal desire of Ismet and some of his men to conclude a treaty. Interview between my experts and his about rectification of northern Mosul boundary had no effect. Questions of Patriarchate, which has been badly handled by Greeks, of Capitulations and of debts are also at a deadlock, and I do not at present see an exit from these difficulties.

No. 24.

The Marquess Curzon of Kedleston to Sir Eyre Crowe.—(Received January 5.)

(No. 178.)
(Telegraphic.) *Lausanne, January 5, 1923.*

YOUR telegrams Nos. 116 and 117.

Following for Colonial Office:—

"Sir P. Lloyd-Greame quite correctly reported conversation with Prime Minister and me at Paris. But I did not want any communication sent to Irak at present stage, since I have no idea as yet whether my proposals will materialise, and I was anxious not to raise expectations in Irak Government of a settlement, which may turn out to be illusory. Please let no further action be taken until you hear from me."

No. 25.

The Marquess Curzon of Kedleston to Sir Eyre Crowe.—(Received January 5.)

(No. 179.)
(Telegraphic.) *Lausanne, January 5, 1923.*

YOUR telegram No. 2.

It has not yet been decided whether draft treaty which we are now preparing and hope to present on or about 11th January will require to be followed by a fuller and final draft later on. Very likely this may turn out to be unnecessary.

Draft contains following clause:

"Turkey renounces all rights and titles of whatever kind over or concerning all territories or islands other than those over which Turkish sovereignty is recognised by present treaty.

"Turkey recognises and accepts dispositions which have been or may be taken concerning attribution, independence or any other settlement of these territories or islands."

No mention will be made in treaty of such specific detached territories as Syria, Irak, Palestine, Hedjaz, Egypt, Morocco, &c., all being covered by above clause.

This really covers No. 1 of two proposals in last paragraph of your telegram, except that Turkey's renunciation will not be dated in the case of Egypt from 14th November, 1914. Does this matter?

As regards tribute, draft suggested in your telegram No. 398 of last year is open to objection that if Egypt does not sign or accede to treaty, bondholders are offered no real security. I therefore propose not to put [? omitted: it] forward in this or any other clause relating to Egypt. Allies may, however, possibly object that simple renunciation by Turkey of rights over Egypt leaves uncertain situation of bondholders as regards service of Turkish debt by Egypt. It will, however, be for them to raise point.

Please reply as soon as possible.

(Addressed to Cairo, No. 11.)

No. 26.

Sir Eyre Crowe to the Marquess Curzon of Kedleston (Lausanne).

(No. 118.)
(Telegraphic.) *Foreign Office, January 5, 1923.*

THE following has been sent by War Office to General Harington:—

"Your No. 3366 of 4th.

"Your action and plans are entirely approved, and there is no intention to change your instructions. As regards mobilisation, that is a matter for possible future consideration, as to which no forecast can be given now. In any case, the possibility cannot affect your immediate action and plans, and need not be taken into consideration now."

No. 27.

Sir P. Lorraine to the Marquess Curzon of Kedleston.—(Received January 7.)

(No. 5.)
(Telegraphic.) D. *Tehran, January 6, 1923.*

LORD CURZON'S telegram No. 9 to Paris from Lausanne.

Three Allied representatives sent identic note to Persian Government 3rd January in the required sense.

No. 28.

Mr. Henderson to Sir Eyre Crowe.—(Received January 7.)

(No. 7.)
(Telegraphic.) *Constantinople, January 7, 1923.*

RESULT of failure of Paris meeting has been to give rise to greater optimism both at Angora and Constantinople as to outcome of Lausanne Conference.

It is clear that Turks consider Allied front to be broken, and their task thereby facilitated. They think France will now be willing to show more open friendship for Turkey and be less inclined to follow your Lordship's lead. Also that French will no longer insist on anything outside financial and economic questions. Though

this would seem to be prevalent view, there are indications also of a certain nervousness lest, as a result of France's independent action in the west, Great Britain may resume her liberty of action in the Near East.

(Sent to Lord Curzon, No. 13.)

[E 322/1/44] No. 29.

Lausanne Conference on Near Eastern Affairs.

(Strictly Confidential.)

TERRITORIAL AND MILITARY COMMISSION.

Draft Minutes of the Sixteenth Meeting, December 18, 1922, at 4 P.M., under the presidency of Lord Curzon.—(Received in Foreign Office, January 8, 1923.)

(Fifth Meeting of the Straits Commission).

Present:

BRITISH EMPIRE.	FRANCE.	ITALY.
The Marquess Curzon of Kedleston. Sir H. Rumbold.	M. Barrère. M. Bompard.	Marquis Garroni. M. Montagna. M. Lago.
UNITED STATES OF AMERICA.	**JAPAN.**	**GREECE.**
Mr. Child. Admiral Bristol. Mr. Grew.	Baron Hayashi. Mr. Otchiai.	M. Venizelos. M. Caclamanos.
ROUMANIA.	**SERB-CROAT-SLOVENE STATE.**	**TURKEY.**
M. Duca. M. Diamandy.	M. Rakitch.	Ismet Pasha. Riza Nour Bey. Hassan Bey.

BULGARIA.	RUSSIA.
M. Théodorof. M. Stanciof.	M. Chicherin. M. Rakovsky. M. Mdivany. M. Vorovsky.

Also present:

BRITISH EMPIRE.	FRANCE.	ITALY.
Sir W. Tyrrell. Admiral Sir R. Keyes. Major-General Burnett-Stuart. Mr. Ryan. Captain Pound, R.N. Lieut.-Colonel Heywood. Mr. Nicolson. Mr. Forbes Adam. Mr. Leeper. Mr. McClure. Major McLeod. Captain Ashley.	Admiral Lacaze. General Weygand. M. Laroche. M. Fromageot. M. de Lacroix. M. Laporte. Lieut.-Colonel Courtin. Captain de la Moricière. M. de Percin. M. Barois.	Admiral Chelotti. Colonel Vitale. M. Arlotta. M. Guariglia. M. Cianmarra. Dr. Senni.
UNITED STATES OF AMERICA	**JAPAN.**	**GREECE.**
Mr. Dwight. Mr. Amory.	Mr. Nagaoka. Mr. Sato. Colonel Sugo. Captain Tsuru. Mr. Tani.	General Mazarakis. M. Michalopoulos. M. Dendramis. M. Politis.

Roumania	Serb-Croat-Slovene State.	Turkey.
M. Contzesco.	M. Antitch.	Munir Bey. Moukhtar Bey. Tevfik Bey.

Bulgaria.	Russia.
M. Morfof.	M. Berens. M. Chapochnikof.

Secretaries.

British Empire.	France.	Italy.
Mr. Spring-Rice. Mr. Wicks.	M. Lagarde. M. de Saint-Hardouin.	M. Indelli.

United States of America	Japan.	Greece.
Mr. Belin.	Mr. Hotta.	M. Collas.

Roumania	Serb-Croat-Slovene State.	Turkey.
M. Constantinesco.	M. Milanovitch. M. Georgevitch.	Rechid Safvet Bey.

Bulgaria	Russia.
Mlle. Stancioff. M. Altinof.	M. Sabanine. M. Ahrens.

Interpreter: M. Camerlynck.

LORD CURZON spoke as follows:

"At the meeting of this commission which took place on the morning of the 8th December last, I laid before you the proposals which had been agreed to between the inviting Powers regarding the freedom of the Straits and the means by which this freedom could be safeguarded.

In circulating these proposals in the detailed form in which they had been drafted by the technical advisers of the three inviting Powers, I stated that it appeared to me only courteous to the other delegations that they should be given an opportunity of studying these detailed proposals and, in so far as they were directly concerned, of consulting the Allied experts upon any point on which they desired further information. I am glad to learn that the Turkish delegation have profited fully from this opportunity, and that repeated discussions have taken place between the Turkish experts and the experts of the inviting Powers in regard to such aspects of our scheme as directly affect Turkish territory and the safety of the capital of the Turkish State. I think that these discussions have proved very fruitful, and it will be seen that we have at many points been able to meet the suggestions and objections which the Turkish delegation have made.

"The result is that the scheme which is before you to-day differs in certain details, though not in principle, from that which was originally submitted.

"Four separate papers have been circulated to all the delegations and are now in your hands.

"They consist of—

1. Clauses regarding rules for the passage of ships, &c. (Annex A).
2. Clauses regarding demilitarised zones and means of defence (Annex B).
3. Articles for the constitution of a Straits Commission, as already accepted in principle by all parties (Annex C).
4. Proposed guarantee for the military security of the Straits and Constantinople (Annex D)

I will make a few observations about each of these. As regards the rules for the passage of vessels through the Dardanelles, the Sea of Marmora and the Bosphorus, you will observe that the original scheme has now been drafted with greater precision. Certain points, which in the original draft were considered to be of doubtful interpretation, have now been rendered in a more explicit form. In particular, the important regulation limiting the tonnage of war vessels passing through the Straits has been altered to the advantage of the Black Sea Powers and elucidated by the introduction of provisions which indicate the manner in which the control of such passage shall be executed. Moreover, it has been made clear that Turkey is in no way responsible for the possibly invidious task of herself guaranteeing the limitation on the number of war vessels which may pass through the Straits.

"As regards the demilitarisation of the Straits zones, two separate demilitarisation schemes have been discussed with the Turkish delegation. Both of these schemes were designed to secure by slightly different means that through passage, unthreatened by guns or fixed defences, which is so essential a condition of the freedom of the Straits. The second scheme, which is that now before you, was drawn up in order to meet the general trend of the Turkish arguments regarding what was necessary to secure to them a reasonable degree of military security against attack. It is the opinion of the Allied military and naval representatives that both schemes provide Turkey with adequate freedom to organise the defence of her territory under the conditions which the treaty is designed to create.

"You will observe that the following modifications have been introduced into the original proposal. In the first place, the limit of the demilitarised zones on both shores of the Dardanelles has been reduced in the vicinity of Rodosto on the one hand and Karabigha on the other. A similar reduction will be noticed in regard to the zones covering the Bosphorus. Moreover, a small additional island in the vicinity of Tenedos has been included in the demilitarised zones, while the island of Emir Ali in the Sea of Marmora has been released from the obligation of demilitarisation. In regard to the actual demilitarisation clauses, certain very important concessions have been made as a result of the observations made by the Turkish delegation. It is explicitly stated that Turkey is to be allowed to send armed forces in transit across the demilitarised zones of the Straits—a point to which Ismet Pasha attached great importance in our earlier discussions; she is further to be allowed in these zones the right to organise a system of observation and communication, both telegraphic, telephonic and visual; and her fleet is to retain the right to navigate and anchor in the waters of the Straits, including those of her own demilitarised zones and islands.

"Finally, the original proposal has been amplified to the greatest extent possible, whilst maintaining the principle of the freedom of navigation, by provisions which will secure for Turkey the necessary defence of the Sea of Marmora and its coasts.

"These provisions and modifications, which I think you will all agree are both just and reasonable, have been made to meet the objections and wishes of the Turkish delegation in regard to the detailed schemes which were laid before the commission on the 8th December. In my speech on that occasion, I also indicated that it would be necessary to establish an international commission to be called the Straits Commission, whose duty it will be to secure that the regulations which may be established are observed by all parties. It is now possible to lay before you draft articles, which have been agreed to by the inviting Powers and which provide in a reasonable form for the institution of this commission.

"At the conclusion of my former speech I also indicated that a third branch of the subject remained for discussion, namely, what form of guarantee could be provided for the security from attack of Constantinople and the demilitarised zones generally. The form which could be given to such a guarantee has been carefully examined, and our labours in this direction have been immensely facilitated by the welcome assurance which the Turkish delegation gave us recently regarding their intention of applying for membership of the League of Nations. As I said at the time, I think that that decision will help us materially in solving more than one of our present problems. It has enabled us to find a guarantee, the formal method of giving effect to which was adopted with general consent by the League of Nations in the case of the Aland Islands. Accordingly, you will find, in the last section of the proposals which are now before you, a draft clause in which a guarantee is given against a menace to the security of the demilitarised zones, including Constantinople, and against interference with the maintenance of the

freedom of navigation of the Straits. In the latter aspect the guarantee will be of value both to Turkey and to the nations of the world. I think that this guarantee, supplementing as it does the general guarantees which will be secured by Turkey in joining the League of Nations, should go far to convince the Turkish delegation and Turkish public opinion that the proposals which have been laid before you by the inviting Powers contain no menace to the sovereignty or the security of the Turkish State. On the contrary, they will be found to remove the causes of future conflict and to give Turkey the confidence and assurance which is so necessary to her future development and prosperity.

"I have confined myself in these introductory remarks to a short exposition of the scheme which has been circulated, and any further explanation that may be called for in the course of the present discussion will be willingly provided by our experts or by myself. I shall now ask M. Barrère, who has devoted particular attention and interest to the subject, to address the commission on the general principles which have inspired our proposals and to define the objects which we hope these proposals will enable every country here represented to secure."

M. BARRÈRE made the following speech :—

"Now that we are beginning to discuss the texts which are designed to ensure the freedom of the Straits—a matter which interests not only the States represented here, but also all the maritime nations of the world—I think it will be useful if I define the ideas which have guided the three inviting Powers in drafting the proposals submitted to the conference.

"I will begin by recalling the different phases of this question.

"Before the war the Straits were closed by virtue of treaties binding on all the Powers, and no one has forgotten the grave consequences which ensued. Out of respect for their undertakings, and at a time when there was no material obstacle in their path, France and England abstained from pursuing an enemy who had deliberately violated his pledged word by penetrating into the prohibited waters.

"The results were disastrous. The Allies were separated from one another; Turkey—contrary to all her interests—was forced into the war, and thus the war itself was greatly prolonged; the whole world still bears the grievous burden of all the misery to which these events gave rise. On the day of their victory the Allies resolved that the dangers of this situation must never be allowed to recur.

"The Allies therefore entered the Straits and the Black Sea after the armistice of Mudros, and the régime of those waters to-day is one of complete liberty without any limitation or control.

"The purpose of the scheme which we have drafted is to institute for the future a liberal and moderate régime based on the requirements of peaceful relations; it cannot give rise to any anxiety as regards the safety of the riverain States, and respects their sovereignty.

"The general principles by which our experts have been guided in drawing up these proposals are as follows: to accomplish a work of peace, *i.e.*, to lay down rules which ensure complete freedom for commercial exchange and peaceful relations, and contain nothing which could give rise to the slightest distrust or to the suspicion that they might create facilities with a view to war; and to establish complete equality of treatment for great and small.

"These principles are guaranteed as regards commercial navigation by complete freedom of passage, night and day, in war and in peace, without any of those hindrances (control, levying of tolls, &c.) which would cause a break in the voyage and thus seriously reduce the earnings of a ship.

"As regards warships, only a small tonnage is authorised: this is indicative of equality between the Powers and shows that there is no idea of aggression against the riverain States. The tonnage in question must in no case exceed that of such portion of the riverain fleets as is in active commission. The naval force which the Powers are authorised to send into the Black Sea is actually limited to three vessels, of a maximum strength equivalent to three cruisers of no great military value.

"Are we not thus dedicating war fleets to their true mission in time of peace as a power for good—a mission which the United States representative has illustrated by reminding us that destruction is a most exceptional incident in the life of a man-of-war!

"You will also note that under the régime which we propose the principle of sovereignty is laid down in two explicit provisions. One of these reserves to each country the right to regulate the stay of warships in its ports by fixing the number of those ships and the duration of their stay. The other embodies the sacred

right of national defence in the event of war, by laying down that when a Power has accepted certain measures of demilitarisation in zones of no great extent, it shall enjoy without restriction complete freedom to utilise all the means at its disposal for the purpose of ensuring the safety of its territory.

"What then remains of this demilitarisation? Hardly anything but a symbol; a symbol of peace, of loyal and confident goodwill; an act of homage by the Turkish people to that universal peace to which the world now aspires, after passing through the sore trial which will weigh heavily on it for a long time to come

"I must also make mention of the guarantees which Turkey might be entitled to claim in return for giving these pledges of peace of her own free will. At first sight it would seem somewhat difficult to reach agreement. May not this be due to the fact that material security alone is being sought in a sphere where highest moral issues are of paramount importance?

"In point of fact, history shows us that the rigorous precautions taken by men have often been of no avail against dishonesty, and that the strongest of all guarantees is that based on plighted word and on concern for national honour. Did any guarantees ever seem more sure than that of the neutrality of Belgium, or that of the inviolability of the Straits? What has remained of all that? Nothing, or next to nothing, thanks to this violation of a solemn promise at the very outset. And could any more convincing proof of loyalty be given by those in whose name I am speaking—who refused to follow their adversaries in the path of crime?

"For these reasons a guarantee confined to a few Powers only can never by itself constitute an adequate restraint, no matter what form it may take or what obligations it may impose. What must be sought is the backing of a moral force, of such a nature as to give pause to any who might attempt to infringe the free régime now to be instituted.

"It is to that moral force that the inviting Powers make appeal when they propose to place the stipulations which they have in view under the auspices of the League of Nations. In this way these stipulations will become something more than an engagement, imposing and solemn though that engagement may be in consequence of the number and importance of the States who enter into it. They will in a sense become an integral part of the international code of all the Powers included in that association, which was formed immediately after the most cruel war in history for the purpose of raising the rampart of moral solidarity against future attempts to violate peace.

"The Turkish Government will understand that the placing of the Straits régime under the auspices of the League of Nations signifies its being entrusted for safe keeping to general public opinion—a force which few countries, I feel sure, would dare to defy.

"I am entirely confident that the Turkish delegation, who have often in the course of our discussions displayed such a true understanding of their national interests, will appreciate the full merit of the equitable, moderate and exceedingly liberal proposals now submitted to them, which, if adopted, will constitute a pledge of lasting peace in the East and throughout the world. It has come to my knowledge that our Turkish colleagues, being as keenly desirous of peace as the other Powers, wish for a rapid conclusion of these debates. Nothing could expedite the attainment of that object more than the solution of the Straits problem on the lines proposed by us. The three inviting Powers are of opinion that this solution gives more guarantees than any other.

"I have only one word to add. We attach great value to the collaboration of his Excellency Ismet Pasha, and I venture to hope that with his collaboration agreement will be reached to-day for the settlement of the Straits régime. If this should come to pass, I will see in it a sure sign of success for the conference, of the rapid conclusion of a treaty of peace, of the prompt and happy accomplishment of the work of pacification with which we are entrusted, and for which we are responsible in the eyes of the world."

MARQUIS GARRONI recalled the fact that in all her acts Italy's conduct had always been inspired by the principle of the greatest possible freedom in the political as well as in the administrative and economic sphere. These were the principles which inspired Italy in the Straits question to demand the freedom of the seas. In Italy's view special circumstances could not entitle anyone to impede free navigation in the Straits. That freedom of navigation was indispensable, and that was why the scheme now under discussion had been drafted. After the statements made by the

president of the commission and M. Barrère, there was no need for the Italian delegate to dwell upon the merits of the scheme. He only wished to conclude by asserting that Italy wished for the freedom of the seas, and also hoped that the riverain States of the Black Sea would be able to find the proposed arrangements advantageous.

ISMET PASHA said that in his statement of the 8th December he had already had the honour to outline the principles which should govern freedom of passage through the Straits and their demilitarisation; he now proposed to set forth in detail the modifications which the Turkish delegation suggested in the drafts handed in by the Allied Powers. These modifications concerned the two drafts relative to freedom of transit through the Straits and to the demilitarisation of the Straits zone.

He wished to make it clear that the Turks had accepted certain stipulations in regard to the demilitarisation of the Straits on the express condition that apart from these stipulations no limit of any kind should be placed upon the means and methods of defence which Turkey might wish to employ, and also that the inviolability of the demilitarised Turkish frontier in Thrace should be fully guaranteed.

The amendments demanded by Ismet Pasha in the scheme of demilitarisation were based on the following considerations and details:—

1. The term "the Straits" must not include the Sea of Marmora
2. Outside the demilitarised zones no restriction must be placed on the means of defence which Turkey might wish to employ in the Sea of Marmora.
3. The islands of Samothrace, Imbros and Tenedos, being an integral part of the Dardanelles, could not in any way be placed under the sovereignty of a foreign Power

The presence of a Greek fleet at Lemnos would constitute a threat against the régime of the Straits. Consequently, the Turkish delegation, while reserving their full right to discuss the question of sovereignty over Lemnos, could in no way agree to the presence of the Greek fleet off the coasts of that island.

Ismet Pasha added that the modifications proposed by him related to freedom of transit and to demilitarisation. As he had not had time to examine the drafts of the Allied experts respecting the Straits Commission and the question of guarantees, he reserved the right to present his remarks on this subject at a later meeting.

Ismet Pasha observed that some of the various statements which had been made concerned the closing of the Straits during the great war—a measure carried out in accordance with the rights conferred on Turkey by treaties.

The settlement which he would recommend was one whereby it would be made impossible for a war fleet to force its passage through the Straits. On the present occasion he wished to examine freedom of transit from a pacific point of view, and with absolutely peaceful intent. The Territorial Commission should concern itself solely with the question of transit through the Straits, and abstain from trespassing on matters within the province of the sovereignty of the Turkish State. He considered it most important that the political guarantee should be really efficacious, because Turkey was making an immeasurable sacrifice by renouncing the right to defend the Straits. It was necessary that the Powers should give pledges, so as to show that the demilitarisation which they demanded would not prejudice the safety of Turkey nor become a source of danger to her very existence. Ismet Pasha added that he would communicate to the secretariat of the conference the text of the modifications which he demanded.

M. CHICHERIN read the following statement

The third variation of the scheme put forward by the inviting Powers for regulating the freedom of the Straits and the demilitarisation of their shores, which was communicated to the delegations yesterday, contains certain modifications of the first draft. These changes reveal no effort whatever to reconcile the proposals with Russia's vital interests; on the contrary, they confirm the impression that the scheme is primarily directed against Russia.

I have made it sufficiently clear in my previous speeches that the system of free passage for warships through the Straits amounts to a perpetuation of the present abnormal situation; that it places a premium on navalism and militarism; and that it tends to render all efforts towards establishing a general and durable peace futile.

But there is something further which I observe on comparing the last draft of the inviting Powers with the original draft. This third variation clearly reveals an attempt to give Turkey a sort of satisfaction (which is really illusory) as regards her interests and her request for safety, while pointing the aggressive elements in

the scheme against Russia. Evidently the idea is to separate Turkey from Russia, to deceive her into believing that her own safety could be obtained without any guarantee being given for the safety of the shores of the Black Sea, and to expose Russia to the full weight of attack by the other Powers. The new scheme provides Turkey with a deceptive semblance of protection, and at the same time preserves intact all the threats of war with Russia as their object.

This draft maintains the exorbitant claim to open the Straits and the Black Sea in time of war when Turkey is neutral to all foreign fleets of war without any limit, *i.e.*, to expose the southern coasts of Russia and her allies to attacks by the most powerful fleets of the world. Even in peace time this draft provides for each Power sending through the Straits into the Black Sea a fleet equal to the strongest of the Black Sea riverain fleets, thus giving foreign Powers an immense supremacy in the Black Sea. Even if all the Powers of the Black Sea demilitarise, every foreign Power will be able to send into that sea three men-of-war not exceeding 10,000 tons apiece, which amounts to forbidding Russia and her allies to demilitarise. Still worse, this draft compels Russia to arm, since her southern coasts would be open to all the attacks of non-riverain States in the event of war. The draft of the inviting Powers opens the Black Sea to fleets of non-riverain States, and yet it proposes to forbid war operations in the Straits. But it is clear that once the Straits are open to warships in time of war, it is futile and Utopian to try to stop military operations on the threshold of the Straits. The logic of war is such that only military considerations will guide the conduct of operations at sea.

In the last draft of the inviting Powers, no restraint is placed on aeroplanes or submarines. The most destructive engines of naval warfare will thus have free access to the Black Sea

The demilitarisation clauses ostensibly concede to Turkey the means of defending the safety of Constantinople and of her inland territory. These alleged concessions are illusory. In reality the Dardanelles are at the mercy of the great fleets of the West, and no efficacious protection against these fleets is granted to Constantinople. In the words used by Ismet Pasha at the meeting on the 8th December, the draft of the inviting Powers can be characterised thus: if the Straits are not fortified, the most vulnerable and important districts of Turkey will be left without means of defence and at the mercy of a sudden attack. Ismet Pasha also observed that in view of the strategic importance of the Straits every belligerent would try to seize them; this would cause wars to arise out of disputes which might otherwise have been settled without recourse to arms; and it would further embroil Turkey in conflicts in which she would have no interests whatever. Ismet Pasha has proved unanswerably that the demilitarisation of the Straits renders peace an illusion. The last draft submitted by the inviting Powers for the demilitarisation of the Straits justifies all the apprehensions which the first Turkish delegate expressed in the words which I have quoted.

We therefore see on looking into the last draft of the inviting Powers that it threatens the vital interests of Russia, violates the most elementary requirements of Turkey as regards her safety and independence, necessitates fresh naval armaments, and places obstacles in the way of general peace.

As regards the two latest schemes of the inviting Powers (communicated to the delegations yesterday evening) respecting the Straits Commission and the guarantee of the safety of the Straits, we share the desire of the Turkish delegation to be given the necessary time for studying these drafts and discussing them at a later meeting. Apart from the drafts of the Allied Powers which have been outlined to-day by the first British delegate, we have become acquainted with a counter proposal from the Turkish delegation which we must examine also, in company with the other delegations, at one of the next meetings of the commission. Furthermore, as no sub-commission has been formed to examine the various drafts in detail, and as separate negotiations have in fact taken place between the inviting Powers and the Turkish delegation in the guise of consultation among experts, the only way left open to the Russian delegation for negotiating on these problems with the other delegations is to present a counter-proposal to the conference. This document was handed to the secretariat this morning. It embodies certain modifications in the original point of view of the Russian delegation, and also certain concessions. The Russian delegation hope that the other members of the conference will find in it some features which are likely to facilitate an agreement."

LORD CURZON said that he would reply in a few words to the two speeches which had just been delivered

In the first place there was the statement of the Turkish delegation, which was couched in tones of conciliation and moderation. He would have been glad if Ismet Pasha had at the beginning of his remarks expressed some sense of the great advance made in the direction of meeting the wishes of the Turkish delegation, as shown in the revised proposals now before the commission; but Ismet Pasha was apparently more concerned in indicating his own point of view than in expressing gratitude, and Lord Curzon would therefore confine himself to Ismet Pasha's criticisms.

Ismet Pasha had asked that certain modifications should still be introduced as regards the defence of the Sea of Marmora, the demilitarised zones, and the islands. Lord Curzon was, of course, ready to give these requests every consideration, although he was under the impression that the points mentioned had already been fully discussed several times over. He hoped that it would be possible to deliver the considered reply of the Allies on these subjects the following morning, when he would also be ready to furnish any explanations which might be desired in regard to the Straits Commission and the political guarantees. He trusted that Ismet Pasha would likewise be ready with his observations on these two subjects at the beginning of the next day's proceedings.

Turning to the remarks of the Russian delegation, Lord Curzon was disappointed to notice the spirit in which the revised Allied proposals had been received by M. Chicherin. As M. Barrère had just explained in his most eloquent and powerful speech, the Allies were all imbued with the idea that substantial concessions had been made in those proposals not only to Turkey, but also to Russia. M. Chicherin had said that the guarantees offered to Turkey were illusory. Surely, that was a remark which should rather have come from Ismet Pasha; but as it had not, Lord Curzon could only note the substantial difference between the attitude of the Turkish and Russian delegations in this respect. Then again, M. Chicherin had discovered in the Allied proposals indications of aggressive intentions towards Russia, and had said that the scheme rested on a menace of war. Lord Curzon wished he could get that idea out of M. Chicherin's mind. If he persisted in arguing that all the Allied proposals were directed against Russia, the conference would never make any advance at all. Each delegation must really pay some regard to the others, and in point of fact the Allied proposals had no such basis or motive as M. Chicherin assumed. The Allies were just as anxious to do justice and to obtain the assent and co-operation of Russia as of Turkey. For instance, the Powers were now binding themselves not to send into the Black Sea any naval force superior to that of the Black Sea littoral Powers. M. Chicherin interpreted this as a menace; but the clause had been introduced by the Powers with a precisely opposite intention, as a limitation on themselves which implied recognition of the rights and interests of Russia.

Lord Curzon did not wish to argue the matter at great length, but proposed to put the case into two or three sentences. The old policy of the Powers which had been pursued up to the time of the recent war had been to shut the Straits because the Powers feared that Russia might come out to attack them. Russia now wanted to pursue the same policy in an inverse sense, namely, to close the Straits in order that the Powers might not come in to attack her. Why should it be impossible to adopt the new conception of creating in all Straits of the world the maximum of free transit for all? Why could not Russia accept the Allied proposals with all their advantages and their very small obligations as readily as the Allies themselves? The proposals made by the Allies ten days ago had been received with assent and almost with enthusiasm throughout the world. It would be very unfortunate if the only note of hostility and criticism came from the present conference and from the Russian delegation alone.

M. Chicherin had again complained that the present question had not been debated in a sub-commission. As M. Chicherin had already been informed several times, the reason for this was that the Straits question, being so important as affecting all the States concerned, was more suitable for discussion in the commission itself. This had been his own view and that of his colleagues from the start. As regards the examination of the question by experts, there had been no separate negotiations in this any more than in any other cases. When questions assumed a technical form the practice always was to leave the discussion to experts. The Allies would have been very glad if the Russian experts had taken a larger part in these discussions on the Straits. He could assure M. Chicherin that in the present instance there had been no departure from the ordinary procedure and no disrespect towards M. Chicherin or his colleagues.

M. Chicherin had spoken of a counter-*projet* which was to come from the Turks. If this *projet* were forthcoming, the commission would doubtless have heard of it from the Turkish delegation. Finally, M. Chicherin had spoken of a Russian counter-*projet*. Lord Curzon had only received that document just before the present meeting, but he was not going to ask for a sum-commission to discuss these two documents. He would examine them himself the same evening with his colleagues and the experts and would deliver the considered reply of the Allies on the following morning. He would therefore propose to adjourn the meeting unless any other delegation wished to speak at once.

M. CHICHERIN wished to make a few remarks in reply to the first British delegate, without going into the whole question in detail. As regards the fundamental principles outlined by Lord Curzon, it seemed to the Russian delegation more modern, more advanced and more progressive to try to limit the arena of military operations and shut off certain seas or straits from those operations and from movements of warships, than to enlarge that arena, open more seas to warships, and increase the size of naval forces. The Russian delegation had all the more right to speak thus since they had presented a declaration signed by M. Chicherin together with their counter-scheme, whereby they undertook in the event of the adoption of their counter-proposal for the closing of the Straits to suggest to the riverain Powers of the Black Sea the summoning of a conference for the purpose of laying down reciprocal conditions for the real safety of the shores of that sea.

The information of the Russian delegation regarding public opinion in various countries on this question did not altogether tally with the statements made by the first British delegate. M. Chicherin felt bound to answer the reproaches made by the first British delegate against the Russian delegation of having misunderstood the conciliatory dispositions of the inviting Powers. The Russian delegation would, on the contrary, be very glad if they were able to discern on the side of the inviting Powers any acts which showed consideration for the vital interests of Russia, for only acts of this kind could give them proof of friendly sentiments on the part of those Powers.

There was one proposal of the inviting Powers which the first French delegate had quoted as a most striking example of moderation, namely, that each Power should under certain conditions have three men-of-war of 10,000 tons each in the Black Sea; but the non-riverain Powers were only to maintain their three war vessels in that sea in the event of the total demilitarisation of the Black Sea Powers, and if no demilitarisation took place they would be able to keep a larger number. The only force which the first French delegate could present as a real guarantee for the safety of the Straits was a moral power, the League of Nations. But that League was not recognised by Russia; the United States and Germany were not members of it; and as a guarantee for safety it had been powerless to protect Lithuania. It had not been able to do anything when confronted with a sudden blow by a general whom his own country disowned at that very moment. The League was organised impotence. Such was the only guarantee of safety which the first French delegate proposed to give to Turkey after demilitarising the Straits.

The Russian delegation greeted with pleasure the president's assurance that the counter-scheme which they had submitted would be examined in detail by the present commission, and that they would have opportunity when discussing these proposals with the other delegations to furnish the latter with proofs of their desire for conciliation, provided that the vital interests of Russia were respected.

LORD CURZON wished to correct M. Chicherin on one point. He (Lord Curzon) had said that the Allies were quite prepared to give full consideration to the Russian proposal and deliver their answer the next day, but he had said nothing to indicate that he was now prepared at the last moment to take the Russian draft line by line and word by word. Such procedure would detain the conference in Lausanne for six months. He did not propose to turn the present commission into a sub-commission for detailed examination of any proposals which anybody might bring forward.

ISMET PASHA wished to define the present position. At the last meeting of the commission it had been decided that the Turkish experts should get into touch with the Allied experts, and that the latter should furnish the former with all such explanations as they might desire. Ismet Pasha thanked the Allied experts for the manner in which they had kindly answered the questions put to them; but on certain occasions he had noticed that the experts did not possess the same authority as

members of sub-commissions to decide difficult points, and consequently matters of essential importance had perforce been left unsolved as being outside the experts' powers. The Turkish delegation had therefore considered it necessary to embody in two drafts the modifications which they proposed to make in the drafts of the Allied experts. Some of these modifications concerned demilitarisation and others the freedom of transit, and they must be studied paragraph by paragraph. The Turkish delegation had the right to request that these proposals should be examined and taken into consideration either by the commission itself or by a sub-commission.

LORD CURZON feared that he was unable to accept the position taken up by Ismet Pasha. Time was going on; the conference had been at work for over four weeks; the last meeting on the Straits question had been held ten days ago; since then there had been constant conversations and explanations between the Allied and the Turkish experts. The Russian delegation had now suddenly sprung upon the conference an entirely new *projet*. Why had they not done so a week ago? Then Ismet Pasha had just informed the commission that he had two *projets* to put forward and apparently expected time to be found for their discussion. If that was so, why had these *projets* not been heard of before? The Allies would never have wasted ten days in discussions among the experts if they had known that two new Turkish schemes were to be produced. He must say with the utmost emphasis that business could not be conducted in such a way. Ismet Pasha knew perfectly well that he (Lord Curzon) had always been willing to consider every Turkish representation, but neither his colleagues nor he could go on indefinitely examining new proposals in detail three weeks after the beginning of the discussion. He was quite prepared to listen with respect to whatever the Russian and Turkish delegations might have to say the next day, but for his own part he would not initiate any new and prolonged examination of a scheme submitted at the last moment, and he appealed to his colleagues in the conference to support him in that attitude.

M. BARRÈRE thought that Lord Curzon's remarks were perfectly correct and entirely concurred in them. He wished, however, to put one question to the Turkish delegation. Ismet Pasha had begun by saying that he had certain amendments to propose. Subsequently he spoke of two new drafts. There would appear to be some misunderstanding. Did the Turkish delegation accept the Allied draft in principle, provided they could suggest amendments in it? In that event the Allied delegations and the Turkish delegation would be in agreement, and their points of view would differ only as regards wording and not on questions of fact.

MARQUIS GARRONI did not want to make any remarks which might prolong the discussion, and entirely agreed with the statement just made by the president. He only wished to recommend that all should contribute their share of goodwill to the discussion, for otherwise the debates of the commission would never come to an end.

M. CHICHERIN explained briefly that the Russian-Ukrainian-Georgian delegation had not been able to present their counter-scheme sooner, because more than a week had elapsed since the last meeting of the Straits Commission. They had only become acquainted with the Turkish proposals at the last meeting, and despite their requests no sub-commission had been called together. Consequently it had been impossible to submit a counter-scheme either to the commission or to a sub-commission. The best means of shortening the work of the conference would have been to create a sub-commission.

Two of the proposals of the inviting Powers (the third and the fourth) had only been handed to the Russian delegation at 11·30 on the previous evening. The inviting Powers were therefore on the same level as the Turkish and Russian delegations.

He hoped that the inviting Powers would take account of the position of the Russian and Turkish delegations, and would not arrogate to themselves any privileges which would violate the principle of equality between the participating Powers.

ISMET PASHA thought it necessary to give some explanations regarding the Turkish point of view. The Turkish delegation had become acquainted with the drafts communicated by the Allies. The experts had come together and studied these drafts, and they had made as many modifications in them as they could. Ismet Pasha had himself attended these meetings, and the Allied experts had admitted to him that there were some questions which lay outside their competence. On the

Turkish side certain proposals had been made, but the Allied experts had avoided examining them. The Turkish delegation were thus only defining the points on which the experts had reached agreement and those on which it had not even been possible to start a discussion, either because the experts were not empowered to do so or because the difference of opinion was too great. In this connection Ismet Pasha renewed his statement that the modifications which he was now submitting in textual form referred to demilitarisation and freedom of transit, and that as the two other Allied drafts (those respecting the duties of the Commission of the Straits and the political guarantee) had not been received in time, he would not be able to present his observations on these matters until a later date.

Ismet Pasha also wished to answer M. Barrère's question respecting the acceptance in principle of the drafts which had been submitted. The Turkish delegation had only been able to study one part of these drafts, in particular that which dealt with demilitarisation *i.e.*, a régime under which it was assumed that no fortifications would exist. With a view to removing the inconvenience which must arise from such a situation, the Turkish delegation were putting forward certain proposals which required to be discussed and studied either in a sub-commission or in a commission where they would produce arguments in support of their point of view. This did not imply either acceptance or refusal of the drafts in question. Ismet Pasha therefore thought that the best course would be to submit to the commission the modifications which he proposed; they could then be examined, and the Allies would be in a position to give their answer as soon as practicable (for the text of the modifications suggested by the Turkish delegation, see Annexes F and G).

LORD CURZON saw no use in pursuing the discussion further at the present meeting. It was not quite fair for Ismet Pasha to say that he had not had an opportunity of making his views known during the past ten days. Lord Curzon himself knew Ismet Pasha's views on every point, for his Excellency had been kind enough to state them repeatedly to the experts and various members of the Allied delegations, and it was in deference to his views that the Allied proposals had been revised. But to begin the whole discussion over again was out of the question. Ismet Pasha would have plenty of opportunity the following morning for stating his views to the commission, but, as Marquis Garroni had just said with so much force, it must be remembered that if the conference were to begin wrangling over little details it would continue for six months. The greater part of the questions at issue had already been thoroughly studied; delegates might pretend that they did not know each other's views, but in point of fact they did know them perfectly. He suggested that a serious effort should be made on the following day to carry the matter a definite stage further towards solution.

(*The commission rose at* 7 P.M.)

ANNEX A

(Third Draft.) *December* 14, 1922.

FREEDOM OF THE STRAITS.

Rules for the Passage of Vessels through the Dardanelles, Sea of Marmora and Bosphorus.

(*Note.*—The term "Straits" for this purpose shall include the Dardanelles, the Sea of Marmora and Bosphorus.)

ARTICLE 1.—*Merchant Vessels, including Hospital Ships, Yachts and Fishing Vessels and Non Military Aircraft.*

(a.) *In Time of Peace.*

Complete freedom of navigation and passage by day and by night under any flag and with any kind of cargo, without any formalities, or tax, or charge whatever, unless for services directly rendered, such as pilotage, light, towage or other similar charges, and without prejudice to the rights exercised in this respect by the services and undertakings now operating under concessions granted by the Turkish Government.*

Pilotage remains optional.

* To facilitate the collection of these dues, it shall be open to the Straits Commission to establish stations appointed by the Turkish Government their name, nationality, tonnage and destination.

(b.) *In Time of War, Turkey being Neutral.*

Complete freedom of navigation and passage by day and by night under the same conditions as above.

The duties and rights of Turkey as a neutral Power cannot authorise her to take any measures liable to interfere with navigation through the Straits, the waters of which, and the air above, must remain entirely free in the case of neutrality just as in ordinary times of peace.

Pilotage remains optional.

(c.) *In Time of War, Turkey being a Belligerent.*

Freedom of navigation for neutral vessels and neutral non-military aircraft, if the vessel or aircraft in question does not assist the enemy by carrying contraband, troops or enemy nationals. Turkey will have the right to search such vessel or aircraft, and for this purpose aircraft are to land on the ground or on the sea in such areas as are specified and prepared for this purpose by Turkey.

The rights of Turkey to enforce international rules in respect of enemy vessels hold good. Turkey will have full power to take such measures as she may consider necessary to prevent enemy vessels from using the Straits. These measures, however, are not to be of such a nature as to prevent the free passage of neutral vessels.

Turkey agrees to provide vessels with either the necessary instructions or pilots for the above purpose.

ARTICLE 2.—*War Vessels* and Military Aircraft.*

(a.) *In Time of Peace.*

Complete freedom of passage by day and by night under any flag, without any formalities, or tax, or charge whatever, but with the undermentioned reservation as to the total force :

The maximum force which any one Power may send through the Straits into the Black Sea is not to be greater than that of the most powerful of the littoral Powers of the Black Sea existing in that sea at the time of passage, but with the proviso that the Powers at all times and under all circumstances reserve to themselves the right to send a minimum force of three ships into the Black Sea, of which three ships no individual ship shall exceed 10,000 tons.†

Turkey has no responsibility in regard to the number of foreign war vessels which pass through the Straits.

(b.) *In Time of War, Turkey being a Neutral.*

Complete freedom of passage by day and by night under any flag, without any formalities, or tax, or charge whatever, under the same limitations as in article 2 (*a*), provided, however, that these limitations will not be applicable to any belligerent Power to the prejudice of its belligerent rights in the Black Sea.

The duties and rights of Turkey as a neutral Power cannot authorise her to take any measures liable to interfere with navigation through the Straits, the waters of which, and the air above, must remain entirely free in the case of neutrality, just as in ordinary times of peace.

War vessels and military aircraft of belligerents will be forbidden to make any capture, to carry out the right of visit and search, or carry out any other hostile act within the zone of the Straits, and will be forbidden to remain more than twenty-four hours beyond the time necessary to pass through the Straits, unless detained by *force majeure*.

* The term "war vessels" for this purpose to include fleet auxiliaries, troopships and aircraft carriers.

† To carry out this article, each Black Sea littoral State will report to the Straits Commission on the 1st January and the 1st July of each year the number of each of the following classes of vessel which they possess in the Black Sea: battleships, battle-cruisers, aircraft-carriers, cruisers, torpedo-boat destroyers, submarines, naval aircraft; distinguishing between the ships of war which are in active commission and the ships with reduced complements, and the ships in reserve and the ships undergoing repairs or alterations.

The Straits Commission will then inform the Powers concerned that the strongest naval Power in the Black Sea [illegible] battleships, battle-cruisers, cruisers, torpedo-boat destroyers, submarines, aircraft.

The Straits Commission will also immediately inform the Powers concerned when, owing to any ship of the strongest Black Sea Power passing through the Straits, any addition or reduction of force has arisen.

The naval force that may be sent through the Straits into the Black Sea will be calculated on the number of ships of war which are in active commission only.

As regards re-victualling and carrying out repairs, war vessels will be subject to the terms of the Thirteenth Hague Convention of 1907, dealing with maritime neutrality. Military aircraft will enjoy not less favourable treatment than is thus accorded under the Thirteenth Hague Convention to war vessels, pending the conclusions of an international conference, which shall lay down neutrality rules for aircraft.

(c.) *In Time of War, Turkey being a Belligerent.*

Complete freedom of passage for neutral warships, without any formalities, or tax, or charge whatever, but under the same limitations as in article 2 (*a*).

Neutral military aircraft will make the passage of the Straits at their own risk and peril, and will submit to investigation as to their character. For this purpose aircraft are to land on the ground or on the sea in such areas as are specified and prepared for this purpose by Turkey.

The means taken by Turkey to prevent enemy ships using the Straits are not to be of such a nature as to prevent the free passage of neutral ships and aircraft.

Turkey agrees to provide ships with either the necessary instructions or pilots for the above purpose.

Note. 1. The passage of the Straits by submarines of Powers at peace with Turkey must be made on the surface.

2. The officer in command of a foreign naval force, whether coming from the Mediterranean or the Black Sea, will, as a matter of courtesy, communicate to a signal station at the entrance to the Dardanelles, or Bosphorus, the number and the names of vessels under his orders which are entering the Straits.

These signal stations shall be designated from time to time by Turkey; if no such signal station is erected or designated, the freedom of passage for foreign war vessels in the Straits is not thereby prejudiced, nor is their entry into the Straits to be for this reason delayed.

3. The right of military and non-military aircraft to fly over the Straits under the conditions mentioned in the present rules necessitates for aircraft—

(*a.*) Freedom to fly over a strip of territory of about 15 kilom. where the Straits are narrow.

(*b.*) Liberty, in the event of a forced landing, to land on the coast or on the sea in the territorial waters of Turkey.

ARTICLE 3.—*Stay in the Ports of the Straits and of the Black Sea.*

(*a.*) Articles 1 and 2 apply to the passage of ships and aircraft through and over the Straits and do not affect the right of Turkey to make such regulations as she may consider necessary regarding the number of men-of-war and military aircraft of any one Power which may visit Turkish ports or aerodromes at one time, and the duration of their stay.

(*b.*) Littoral Powers of the Black Sea will also have a similar right as regards their ports and aerodromes.

(*c.*) The signatory Powers who, before 1914, had the right of maintaining *stationnaire* ships in the zone of the Straits shall continue to exercise that right under the former conditions.

(*d.*) The signatory Powers who have the right of maintaining vessels on the Danube shall continue to have their right and to replace these vessels by other vessels as necessary.

The vessels mentioned in 3 (*c*) and (*d*) will be additional to those mentioned in article 2.

ANNEX B

(Third Draft.) *December* 14, 1922.

DEMILITARISATION OF THE ZONES OF THE STRAITS

(The term "Straits" includes the Dardanelles, the Sea of Marmora and the Bosphorus.)

THE measures of demilitarisation described hereafter are based on the necessity of assuring free navigation through the Straits
With this object :

ARTICLE 1.—*Demilitarised Zones.*

The zones and islands indicated below shall be demilitarised.

1. Both shores of the passages of the Dardanelles and the Bosphorus over the extent of the zones delimited below

Dardanelles—

On the north-west, the Gallipoli peninsula and the area south-east of a line traced from a point on the Gulf of Xeros 4 kilom. north-east of Bakla-Burun, reaching the Sea of Marmora at Kumbaghi and passing south of Kavak (this village excluded)

On the south-east, the area included between the coast and a line 20 kilom. from the coast, starting from Cape Eski-Stamboul opposite Tenedos and reaching the Sea of Marmora at a point on the coast immediately north of Karabigha

Bosphorus (with the reservation concerning the special régime for Constantinople—see article 4 below)—

On the east, the area extending up to a line 15 kilom from the eastern shore of the Bosphorus. On the west, the area up to a line 15 kilom. from the western shore of the Bosphorus.

2. All the islands in the Sea of Marmora, with the exception of the island of Emir Ali Adasi

3. In the Ægean Sea, the islands of Samothrace, Lemnos, Imbros, Tenedos and Rabbit Island

ARTICLE 2.—*Demilitarisation Clauses.*

With the reservation of special conditions concerning Constantinople :

There shall exist in the demilitarised zones and islands no fortifications, no permanent artillery organisation, no searchlight organisation, no submarine engines of war, no military aerial organisation, no naval base.

In the territorial waters of the demilitarised zones and islands, there shall exist no submarine engines of war.

No armed forces shall stay in the demilitarised zones and islands, except the police and gendarmerie forces necessary for the maintenance of order (their armament will be limited in the same conditions as that of the gendarmerie and of the police forces of the demilitarised zone in Thrace)

It is however specified that in their respective territory in the demilitarised zones and islands, as well as in the territorial waters of these zones and islands, the Turkish and Hellenic Governments shall have the right

(*a*.) The Turkish Government, to send across armed forces in transit: the Greek Government, to carry out the necessary movements for the assembly or the dispersal of the island contingents to be instructed

(*b*.) To organise a system of observation and communications both telegraphic, telephonic and visual

(*c*.) For their fleets to navigate and anchor.

ARTICLE 3.—*Régime of the Zones of the Straits outside the Demilitarised Zones, that is to say, of the Sea of Marmora and its Coasts.*

No submarine engines of war shall be installed in the waters of the Sea of Marmora or on its coasts.

Further, the Turkish Government shall not instal any permanent battery, capable of interfering with the free passage of the Straits, in the coastal zone of the European shore of the Sea of Marmora and in the coastal zone on the Anatolian shore to the east of the demilitarised zone of the Bosphorus as far as Darije

ARTICLE 4.—*Special Dispositions concerning Constantinople Area.**

At Constantinople and its immediate neighbourhood there may be maintained for the requirements of the capital a garrison with a maximum strength of 12,000 men. An arsenal and naval base may also be maintained at Constantinople.

ARTICLE 5.

If, in case of war, Turkey, or Greece, availing herself of the rights of a belligerent Power, should in any way modify the state of demilitarisation described above, she will be bound to re-establish the *status quo ante bellum* as soon as peace is concluded.

ANNEX C

Draft Articles in regard to the International Commission of the Straits.

ARTICLE 1.

There shall be constituted at Constantinople an international commission composed in accordance with article 3, and called the "Straits Commission."

ARTICLE 2

The commission will perform its functions within the geographical limits defined in articles .

ARTICLE 3

The commission will be composed of a representative of Turkey, who shall be president, and representatives of France, Great Britain, Italy, Japan, Bulgaria, Greece, Roumania and the Serb-Croat-Slovene State, and a representative of Russia as from the time when she adheres to the present convention.

The United States, in the event of their adhering to the present convention, will also be entitled to have one representative on the commission

ARTICLE 4.

The Governments represented on the commission will pay the salaries of their representatives. Any incidental expenses incurred by the commission, such as those resulting from the employment of a technical staff, will be borne in equal shares by the said Governments.

ARTICLE 5.

It will be the duty of the commission to see that the public services concerned with navigation in the Straits comply with the conditions necessary to ensure the security of passage.

The commission will, in particular, be thus concerned with—

(*a*.) The lighting of the coasts and harbours.
(*b*.) The buoying of channels and anchorages.
(*c*.) Pilotage.
(*d*.) Towage
(*e*.) Removal of wrecks which may impede navigation.

* For the purposes of this paragraph, Constantinople includes Stamboul, Pera, Galata, Scutari, as well as the Princes Islands.

It will also be the duty of the commission to see that the provisions relating to freedom of passage and the special measures prescribed in articles (limitation and demilitarisation of warships) are duly carried out.

ARTICLE 6

The Straits Commission will carry out its functions under the auspices of the League of Nations, and will address to the League an annual report giving an account of its activities and furnishing all information which may be useful in the interests of commerce and navigation.

ARTICLE 7.

It will be the duty of the commission to prescribe such regulations as may be necessary for the accomplishment of its task. These regulations must be framed in a spirit of perfect equality between all flags and must be such as to facilitate to the fullest degree possible passage through the Straits.

In particular, vessels which in consequence of damage or other circumstances constituting *force majeure* are compelled to anchor in any port or at any point round the coasts of the Straits shall not be liable on that account to pay port dues, provided that they do not take part in any commercial operations.

ANNEX D.

Draft Article Respecting the Guarantee of the Safety of the Straits.

IN order to ensure that the demilitarisation of the Straits and of the surrounding zones shall not constitute an unjustifiable danger to the military security of Turkey, the high contracting parties agree as follows:

Should the freedom of navigation of the Straits, or the security of the demilitarised zones, be imperilled by a violation of the provisions relating to freedom of passage, or by war, the high contracting parties will at once apply, either individually or in combination, to the Council of the League of Nations, in order to obtain a decision as to the measures to be taken. The Straits Commission provided for in article will also be entitled to bring to the notice of the council any circumstance which it considers likely to imperil the freedom of navigation of the Straits or the security of the demilitarised zones.

The high contracting parties undertake to contribute to the measures which may accordingly be decided on by the council.

If unanimity cannot be reached, each of the high contracting parties will be entitled to take individually such measures as a two-thirds majority of the council may approve. The vote of the Power alleged to have imperilled the freedom of navigation of the Straits or the security of the demilitarised zone will not count in the computation of either unanimity or a two thirds majority.

ANNEX E.

PROJET DE LA DÉLÉGATION RUSSE

Règlement pour le Passage des Navires par les Dardanelles, la mer de Marmara et le Bosphore.

CHAPITRE Ier. *Dispositions générales*

ARTICLE 1er. Sous la dénomination "les Détroits" employée ci-dessous sont compris les Dardanelles, la mer de Marmara, le Bosphore et les îles de la mer Egée, adjacentes aux Détroits (Samothrace, Imbros, Tenedos, Lemnos et le groupe des îles de Lapin), ainsi que les eaux territoriales des Détroits.

Article 2. La souveraineté de la Turquie sur les Détroits est confirmée. Les îles de Samothrace et Lemnos sont déclarées autonomes.

CHAPITRE II.—*Règles pour le Passage des Bâtiments par les Détroits.*

1.—*En Temps de Paix.*

(a.) *Bâtiments de Commerce et Aéronefs de Commerce.*

Article 3. Pleine liberté de passage par les Détroits des bâtiments de commerce et des aéronefs de commerce sans distinction de pavillon, jour et nuit.

Les aéronefs de commerce survolent les Détroits conformément aux stipulations des conventions aériennes signées par le Gouvernement turc ou aux règles spéciales publiées par ledit Gouvernement.

(b.) *Bâtiments de Guerre et Aéronefs militaires.*

Article 4. En vertu du principe établi depuis longtemps, les Détroits sont reconnus fermés pour les bâtiments de guerre, les submersibles y compris, de toutes les flottes militaires, sauf la flotte militaire de la Turquie.

Article 5. Le passage au-dessus des Détroits est défendu à toutes aéronefs militaires, sauf celles appartenant à la Turquie.

Article 6. Toutefois, dans des cas isolés absolument exceptionnels et dans des buts définis spéciaux, le Gouvernement turc pourra autoriser par des décrets particuliers qui seront publiés dans chaque occasion séparément, le passage par les Détroits dans les deux directions des bâtiments militaires légers, les submersibles exclus sans distinction de pavillon, mais aucunement dans de buts militaires.

Article 7. Une descente ne pourra être effectuée dans les Détroits par les bâtiments de guerre légers admis par le Gouvernement turc à passer les Détroits en vertu de l'article 6. Ni armement, ni engins de guerre, ni munitions, ni aucun autre matériel de guerre ne pourront non plus être débarqués de ces bâtiments.

Article 8. Le bâtiment de guerre léger autorisé à passer les Détroits devra signifier préalablement au Gouvernement turc le moment de son entrée dans les Détroits afin de donner audit Gouvernement la possibilité de vérifier l'autorisation délivrée.

2. *En Temps de Guerre, la Turquie étant neutre.*

(a.) *Bâtiments de Commerce et Aéronefs de Commerce.*

Article 9. L'article 3 du présent règlement reste en vigueur. La Turquie possédera toutefois tous les droits et remplira toutes les obligations prévues par le droit international pour sauvegarder sa neutralité comme Etat souverain.

(b.) *Bâtiments de Guerre et Aéronefs militaires.*

Article 10. Dans des cas isolés exceptionnels et pour des buts définis spéciaux, le Gouvernement turc pourra autoriser le passage par les Détroits de bâtiments de guerre légers* neutres, les submersibles exclus, conformément aux règles établies par les articles 6, 7, 8 et 9.

Article 11. Aucun bâtiment de guerre des Puissances belligérantes, les submersibles compris, ni aucun aéronef militaire des Puissances belligérantes ni aucun aéronef des Puissances neutres ne seront autorisés à passer les Détroits.

3. *En Temps de Guerre, la Turquie étant belligérante.*

(a.) *Bâtiments de Commerce et Aéronefs de Commerce.*

Article 12. Les bâtiments de commerce et les aéronefs de commerce des Puissances neutres seront autorisés à passer librement les Détroits conformément aux articles 3 et 9 du présent règlement. Toutefois, la Turquie possédera les droits accordés par le droit international aux Puissances se trouvant en état de guerre; notamment la Turquie comme belligérante aura le droit de visiter les bâtiments de commerce passant par les Détroits et les aéronefs de commerce les survolant. Des règles spéciales seront établies pour ces dernières par le Gouvernement turc.

Article 13. La Turquie appliquera aux bâtiments de commerce et aux aéronef de commerce des Puissances ennemies les règles internationales existantes à ce sujet.

(b.) *Bâtiments de Guerre.*

Article 14. Dans des cas isolés exceptionnels et pour des buts définis spéciaux le Gouvernement turc pourra autoriser le passage par les Détroits de bâtiments de

* Sous la dénomination de "bâtiments de guerre légers" sont entendus des bâtiments de guerre ne dépassant pas 6,000 tonnes, avec artillerie ne dépassant pas 15 cm.

guerre neutres légers, les submersibles exclus, conformément aux règles établies par les articles 6, 7, 8 et 9, sous réserve du droit de la Turquie d'appliquer les règles qu'elle jugera nécessaires en qualité de partie belligérante.

CHAPITRE III.—*Garanties.*

Article 15. La Turquie s'engage devant tous les signataires du présent règlement conjointement et devant chaque signataire séparément à veiller à l'exécution de ce règlement.

Article 16. Conformément aux dispositions des articles 2 et 15 du présent règlement, la Turquie, afin de garantir sa souveraineté et de mettre en vigueur le principe de la fermeture des Détroits aux bâtiments de guerre et aux aéronefs militaires, aura le droit de prendre toutes les mesures nécessaires, et en particulier :

(*a*.) D'entretenir sans restriction aucune, dans la zone des Détroits, des forces militaires de terre et de mer (les submersibles compris) et des forces aériennes ;

(*b*.) D'édifier à son gré des fortifications permanentes et des installations permanentes d'artillerie de tout calibre ;

(*c*.) De poser des champs de mines ;

(*d*.) De construire des routes et chemins de fer militaires, des chaussées et autres voies de communication nécessaires à sa défense ;

(*e*.) D'organiser tous moyens de liaison et d'observation ;

(*f*.) D'entretenir des bases de défense sur terre et sur mer et des aérodromes ;

(*g*.) D'organiser en général la défense des Détroits en y appliquant tous les moyens techniques de guerre actuellement existant et pouvant exister à l'avenir.

CHAPITRE IV.—*Dispositions techniques.*

Article 17. Sans préjudice pour la souveraineté de la Turquie et afin de pourvoir aux nécessités de la navigation de commerce, une commission internationale sera instituée, composée d'un représentant de chaque Etat riverain de la mer Noire et d'un représentant de chacun des Etat suivants : Allemagne, Etats-Unis d'Amérique, France, Grande-Bretagne, Italie et Japon.

Article 18. La présidence de la commission appartient au délégué de la Turquie, le siège de la commission est fixé à Constantinople.

Article 19. La Turquie s'engage à mettre à la disposition de la commission le nombre de pilotes nécessaire pour assurer la navigation de commerce dans les Détroits.

Article 20. Le statut de la commission sera établi en détail dans une convention spéciale, qui sera élaborée avec la participation des Etats désignés à l'article 17 dans un délai de trois mois à dater de la signature du présent règlement.

CHAPITRE V.—*Dispositions générales.*

Article 21. Les Puissances contractantes sont d'accord pour élaborer et signer dans un délai de trois mois après l'adoption du présent règlement un acte international reconnaissant la mer Noire comme étant une mer close où les Puissances riveraines, même en cas de changements seraient apportés au régime des Détroits qui modifieraient les stipulations ci-dessus.

Article 22. Le présent règlement restera en vigueur pendant la durée de dix ans. Après l'expiration de ce délai le présent règlement pourra être prolongé ou revisé.

(Suivant clauses formelles, ratification, &c.)

Déclaration additionnelle

La délégation russe, ukrainienne et géorgienne déclare que dans le cas où son projet de règlement de la question des Détroits serait adopté par les Puissances, la Russie, l'Ukraine et la Géorgie s'engagent à proposer aux Gouvernements des Puissances riveraines de la mer Noire la convocation d'une conférence en vue de l'adoption de garanties réciproques pour la sécurité efficace de leurs côtes.

Fait à Lausanne, le 18 décembre 1922.

G. TCHITCHERINE,
Premier Délégué de la Russie, de l'Ukraine et de la Géorgie.

ANNEX F.

Le 18 décembre 1922.

Liberté des Détroits.	*Modifications proposées par la Délégation turque.*
Règles pour le Passage des Navires par les Dardanelles, la mer de Marmara et le Bosphore.	
(NOTE.—L'expression "Détroits" employée ci-après comprend à la fois les Dardanelles, la mer de Marmara et le Bosphore.)	Supprimer la note.
ARTICLE 1er.	
Navires de commerce, y compris les navires-hôpitaux, yachts et bateaux de pêche, ainsi que les aéronefs non militaires.	
(a.) *En temps de Paix.*—Complète liberté de navigation et de passage, de jour et de nuit, quels que soient le pavillon et le chargement, sans aucune formalité, taxe ou charge quelconque, si ce n'est pour services directement rendus, telles que taxes de pilotage, phares, remorquage, ou autres de même nature, et sans qu'il soit porte atteinte aux droits exercés à cet égard par les services et entreprises actuellement exercées par le Gouvernement turc.	Supprimer navigation.
	Supprimer à partir des mots : "Et sans qu'il soit porté atteinte."
Le pilotage reste facultatif.	Supprimer: "Le pilotage reste facultatif." Ajouter : "Les aéronefs non militaires seront soumis aux conventions qui seront conclues avec la Turquie et aux règlements qui seront édictés par elle." Supprimer le renvoi : "Le pilotage devenant obligatoire."
(b.) *En temps de Guerre, la Turquie restant neutre.*—Complète liberté de navigation et de passage, de jour et de nuit, dans les mêmes conditions que ci-dessus. Les droits et devoirs de la Turquie comme Puissance neutre, ne seraient l'autoriser à prendre aucune mesure susceptible d'entraver la navigation à travers les Détroits, dont les eaux et le ciel doivent rester entièrement libres, dans le cas de neutralité comme en temps de paix générale.	Supprimer : "De navigation."
	Supprimer : "Le ciel."
Le pilotage reste facultatif.	Supprimer : "Le pilotage reste facultatif," le pilotage devenant obligatoire.
(c.) *En Temps de Guerre, la Turquie étant belligérante.* - Liberté de navigation pour les navires et les aéronefs non	Remplacer "navigation" par "passage." Supprimer partout : "aéronefs."

* Pour faciliter la perception de ces droits, les navires de commerce franchissant les Détroits devront signaler aux postes indiqués par le Gouvernement turc leur nom, leur nationalité, leur tonnage et leur destination.

Liberté des Détroits.	*Modifications proposées par la Délégation turque.*
militaires neutres, si le navire ou l'aéronef n'assiste pas l'ennemi en transportant de la contrebande, des troupes ou des ressortissants ennemis. La Turquie aura le droit de visiter lesdits navires et aéronefs et, à cette fin, les aéronefs devront atterrir ou amerrir dans telles zones qui seront fixées et aménagées à cet effet par la Turquie. Les droits de la Turquie d'appliquer les règles internationales à l'égard des navires ennemis sont maintenus.	Après les mots : "ressortissants ennemis," ajouter : "les aéronefs non militaires neutres jouiront de la même liberté sous les conditions indiquées plus haut, paragraphe (*a*) *in fine*."
La Turquie aura pleine faculté de prendre telles mesures qu'elle jugera nécessaires pour empêcher les navires ennemis d'utiliser les Détroits. Toutefois, ces mesures ne seront pas de nature à interdire le libre passage des navires neutres.	Supprimer cet alinéa
La Turquie s'engage à fournir aux navires les instructions ou pilotes nécessaires à cet effet	Le remplacer par : "A cet effet, ces navires devront obéir aux instructions et aux pilotes qui leur seront fournis par la Turquie.

ARTICLE 2.

Bâtiments de Guerre et Aéronefs militaires.

(a.) *En Temps de Paix.*—Complète liberté de passage de jour et de nuit, quel que soit le pavillon, sans aucune formalité, taxe ou charge quelconque, mais sous les réserves ci-après énoncées et le total des forces.	Entrée dans les Détroits de jour seulement Sortie de jour et de nuit.
La force maximum que une Puissance pourrait faire passer les Détroits pour se rendre en mer Noire ne dépassera pas celle de la flotte la plus forte des Puissances riveraines de la mer Noire et existant en mer Noire au moment du passage, mais les Puissances se réservent, en tout temps et en toute circonstance, le droit d'envoyer en mer Noire une force n'excédant pas trois bâtiments dont aucun ne dépassera 10,000 tonnes.†	La traversée des Détroits est interdite en temps de paix aux sous-marins, aéronefs militaires et bâtiments porte-avions. *Passage à travers les Détroits.*—La force totale des flottes étrangères transitant en même temps à travers les Détroits ne devra pas dépasser la force de la flotte turque présente à ce moment entre l'entrée de la mer Noire et l'entrée de la mer Égée. Toutefois, en toute circonstance, la force totale des flottes étrangères transitant simultanément à travers les Détroits pourra être de trois bâtiments de moins de 10,000 tonnes chacun.

* L'expression "bâtiments de guerre" comprend ici les navires auxiliaires, les transports de troupes, les bâtiments-ateliers, etc.

† En vertu de l'article 14 de cette Convention, chaque Puissance riveraine de la mer Noire notifiera à la Commission des Détroits, de 1ère classe et de 1ère valeur de chaque année, le nombre de cuirassés, de croiseurs de bataille, de bâtiments-porte-avions, de croiseurs, de destroyers, de sous-marins et d'aéronefs navals qu'elle possède en mer Noire en différentes catégories armées, les bâtiments-ateliers et flottilles en service, en spécifiant aussi en détail les

Les cuirassés, croiseurs de bataille, croiseurs, destroyers, sous-marins, aéronefs, tout changement dû, soit à l'entrée en mer Noire, soit à la sortie de la mer Noire, d'un bâtiment appartenant à cette force étant de plus immédiatement porté à la connaissance des Puissances intéressées.

La flotte totale par laquelle toute Puissance riveraine de la mer Noire sera admise à faire passer les Détroits ne dépassera que par le nombre des bâtiments admis.

Liberté des Détroits.	*Modifications proposées par la Délégation turque.*
	Entrée en mer Noire.—La force totale des flottes étrangères entrée en mer Noire ne sera pas supérieure à la force la plus forte des riverains de la mer Noire présente en cette mer au moment de l'entrée.
Aucune responsabilité n'incombera à la Turquie en ce qui concerne le nombre de bâtiments qui traversent les Détroits.	
(b.) *En Temps de Guerre, la Turquie étant neutre.*—Complète liberté de passage de jour et de nuit, quel que soit le pavillon, sans aucune formalité, taxe ou charge quelconque, sous les mêmes limitations que celles prévues à l'article 2 (*a*).	Entrée de jour seulement. Même limitation que celle prévue précédemment.
Toutefois, ces limitations ne sont pas applicables à une Puissance belligérante au préjudice de ses droits de belligérant en mer Noire.	Supprimer cet alinéa.
Les droits et devoirs de la Turquie comme Puissance neutre ne sauraient l'autoriser à prendre aucune mesure susceptible d'entraver la navigation à travers les Détroits, dont les eaux et le ciel doivent rester entièrement libres dans le cas de neutralité comme en temps de paix générale.	Supprimer cet alinéa. Ajouter : "Les navires de guerre d'une Puissance belligérante ne pourront entrer dans les Détroits avant que les navires de guerre de l'autre Puissance belligérante aient quitté les Détroits et la mer de Marmara."
Il sera interdit aux bâtiments de guerre et aéronefs militaires des belligérants de procéder à aucune capture, d'exercer le droit de visite et de se livrer à aucun autre acte d'hostilité dans la zone des Détroits ; il leur sera interdit de même de séjourner plus de vingt-quatre heures au delà du temps nécessaire pour le passage des Détroits, sauf le cas de force majeure	Supprimer : "aéronefs militaires," en raison de l'interdiction générale de passage des aéronefs militaires.
En ce qui concerne le ravitaillement et les réparations, ces bâtiments de guerre seront régis par les dispositions de la Convention XIII de La Haye, 1907, concernant la neutralité maritime.	Appliquer dans son entier la Convention XIII de La Haye.
Les aéronefs militaires jouiront d'un traitement aussi favorable que celui accordé par la Convention XIII de La Haye aux bâtiments de guerre, en attendant les conclusions de la Conférence internationale qui doit établir les règles de neutralité pour les aéronefs.	Supprimer cet alinéa.
(c.) *En Temps de Guerre, la Turquie étant belligérante.*—Complète liberté de passage pour les bâtiments de guerre neutres sans aucune formalité, taxe ou charge quelconque, mais sous les mêmes limitations que celles qui sont prévues à l'article 2 (*a*).	Même limitation que celle prévue précédemment.
Les aéronefs militaires neutres effectueront le passage des Détroits à leurs risques et périls et seront soumis au droit d'enquête quant à leur caractère. A cette fin les aéronefs devront atterrir ou amerrir	Supprimer cet alinéa, en vertu de l'interdiction de passage pour les aéronefs.

Liberté des Détroits.	*Modifications proposées par la Délégation turque.*
dans telles zones qui seront fixées et aménagées à cet effet par la Turquie.	
Les mesures à prendre par la Turquie pour empêcher les bâtiments ennemis d'utiliser les Détroits ne seront pas de nature à interdire le libre passage des navires et aéronefs neutres.	Supprimer : "aéronefs."
La Turquie s'engage à fournir aux navires les instructions ou pilotes nécessaires à cet effet.	
Notes.	
1. Les sous-marins des Puissances en état de paix avec la Turquie ne devront traverser les Détroits qu'en surface.	Supprimer cet alinéa.
2. Le commandant d'une force navale étrangère venant soit de la Méditerranée, soit de la mer Noire, communiquera par courtoisie à une station de signaux à l'entrée des Dardanelles ou du Bosphore le nombre et les noms des bâtiments sous ses ordres qui doivent entrer dans les Détroits.	Supprimer : "par courtoisie." Les bâtiments de guerre transitant à travers les Détroits devant obligatoirement signaler leur entrée aux stations de signaux turcs installées à l'entrée des Dardanelles et du Bosphore.
	Ils devront également signaler leur arrivée à la Commission des Détroits 24 heures avant leur entrée dans les Détroits.
La liste des stations de signaux avec lesquelles on pourra ainsi communiquer sera notifiée par la Turquie, s'il n'existe aucune station, ou s'il n'est fait aucune notification, la liberté de passage dans les Détroits, pour les bâtiments de guerre étrangers, n'en subsistera pas moins et leur entrée dans les Détroits ne sera pas retardée pour cette raison.	
3. L'autorisation pour les aéronefs militaires et non militaires de survoler les Détroits dans les conditions prévues par les présentes règles implique pour lesdits aéronefs :	Supprimer l'alinéa 3.
(*a.*) La liberté de survoler une bande de territoire d'une quinzaine de kilomètres aux passages resserrés des Détroits ;	
(*b.*) La faculté, en cas de panne, d'atterrir sur le littoral ou d'amerrir dans les eaux territoriales de la Turquie.	
ARTICLE 3.	ARTICLE 3.
Séjour dans les ports des Détroits et de la mer Noire.	
	Les règles édictées pour le passage des navires de guerre à travers les Détroits s'appliquent aux navires de guerre des Puissances autres que la Turquie.
	Ajouter : "des navires de guerre," après le mot "séjour."
(*a.*) Les articles 1er et 2 s'appliquent au passage des navires et aéronefs par et	Ajouter après les articles 1er et 2 : "3." Supprimer : "aéronefs."

Liberté des Détroits.	*Modifications proposées par la Délégation turque.*
au-dessus des Détroits et ne portent pas atteinte au droit de la Turquie d'édicter tels règlements qu'elle jugera nécessaires, en ce qui concerne le nombre des bâtiments de guerre et aéronefs militaires d'une même Puissance qui pourront visiter simultanément les ports ou les aérodromes turcs ainsi que la durée de leur séjour ;	Supprimer : "aérodromes."
(*b.*) Les Puissances riveraines de la mer Noire auront le même droit en ce qui concerne leurs ports et leurs aérodromes ;	Supprimer : "aérodromes"
(*c.*) Les Puissances signataires qui, antérieurement à 1914, avaient le droit de maintenir des stationnaires dans la zone des Détroits, conservent la faculté d'user de ce droit dans les mêmes conditions ;	Supprimer cet alinéa.
(*d.*) Les Puissances signataires qui ont le droit d'avoir des bâtiments sur le Danube conservent ce droit et celui de les remplacer par d'autres bâtiments, s'il est nécessaire.	
Les bâtiments prévus en (*c*) et (*d*) s'ajouteront à ceux qui sont prévus à l'article 2.	Supprimer : "en (c)."

ANNEX G.

Modifications proposées par la Délégation turque au Projet des Alliés.

Le 18 décembre 1922.

La définition de l'expression "Détroits" est supprimée.

Premier alinéa (préambule).

Sans changement.

Article 1er.—Zones démilitarisées.

Sans changement.

Article 2.—Clauses de Démilitarisation.

Deuxième alinéa : Suppression après les mots "permanente d'artillerie" des mots "de projecteurs."

Troisième alinéa : Suppression après les mots "le Gouvernement turc" des mots "et hellénique."

§ (*a.*) Supprimer le membre de phrase final à partir de "le Gouvernement hellénique."

§ (*c.*) "Sa flotte" au lieu de "leurs flottes."

Les modifications ci-dessus concernant le troisième alinéa résultent de ce que le Gouvernement turc réclame l'autonomie pour Lemnos et Samothrace (îles attribuées à la Grèce) et refuse à la flotte grecque le droit de circuler et de mouiller dans les eaux de ces îles.

En outre, la délégation turque propose d'ajouter :

"Il est spécifié en outre que :

"(*d.*) Tout en ne maintenant pas des installations et des bases permanentes d'aéronautique militaire, le Gouvernement turc aura la faculté de faire observer au moyen d'avions et de ballons la surface et le fond de la mer. Les aéronefs turcs pourront à tout instant survoler librement les eaux

des Détroits et les zones démilitarisées et y atterrir ou amerrir partout en liberté.

"(*c*.) L'expression d''engin d'action sous-marine' utilisée dans le présent projet ne se rapporte pas aux sous-marins."

Article 3.—*Régime de la Zone des Détroits en dehors des Zones démilitarisées, c'est-à-dire de la mer de Marmara et de ses Côtes.*

La délégation turque propose de supprimer :

Premier alinéa : Après "mer de Marmara" les mots "ni sur ses côtes."

Deuxième alinéa : Cet alinéa en entier.

Article 4.—*Dispositions spéciales concernant le Régime de Constantinople.*

Sans changement.

Article 5.

Supprimé.

La délégation turque propose d'ajouter l'article suivant :

"Le Gouvernement turc pourra maintenir dans la presqu'île de Gallipoli une force de 5,000 hommes pour en défendre le littoral de la mer Egée."

[E 363/52/44] No. 30.

Mr. Bentinck to the Marquess Curzon of Kedleston.—(*Received January* 8, 1923.)

(No. 751.)

My Lord, *Athens December* 28, 1922.

WITH reference to paragraphs 64 and 65 of the annual report on Greece for 1921, I have the honour to report that the papers announce that the Patriarch Meletios has offered to resign, provided the rights and privileges of the Patriarchate are assured, in order to facilitate the settlement of the question of the retention of the Patriarchate in Constantinople by the removal of his personality, to which the Kemalists appear to have strong objections.

2. As your Lordship will remember, the present Patriarch who was deposed from the post of Metropolitan of Athens and head of the Church in free Greece by the late Constantinist régime, left Athens for the United States in 1921, whence he was recalled in December of that year to assume the Patriarchal dignity, after an election, the validity of which was called in question by that section of the Church which professed devotion to the Constantinist régime.

3. Since his assumption of the Patriarchal dignity, Meletios has distinguished himself by the fervidness of his patriotism and his zeal for the union of the Orthodox and Protestant branches of the Church. His activity in connection with the formation of an organisation for the defence of Asia Minor will be fresh in your Lordship's recollection.

4. His Holiness Meletios was Metropolitan of Citium, in Cyprus, before he was appointed to the See of Athens in 1917. He is of Cretan birth.

5. The character of the Patriarch has been variously appraised by his admirers and his political enemies, of both of whom he has many. A blend of consummate patriotism, ambition and high ability, it reminds one forcibly of that of certain of the prelates of the middle ages.

6. The resignation of the Patriarch naturally excites the deepest interest in Greece, for, although the Metropolitan of Athens is independent of the Patriarch, the latter still holds the place of honour in the popular estimation and reverence owing to the historical glamour attaching to the See of Constantinople. Although most of the "Royalist" section of the populace have not yet forgotten or forgiven the political views of the Patriarch or his "Modernist" tendencies, yet his position attracts considerable sympathy, even on their part, whilst the Venizelists view him as a national martyr in the cause of Hellenism.

7. The Premier, Colonel Gonatas, is reported in the "Hestia" as declaring that Greece will not give way on the question of the removal of the Patriarchate from

Constantinople. A similar statement was made by the Minister of War to an Englishman of my acquaintance, and there can be no doubt that this reflects the will of the Greek people, irrespective of party.

8. I am forwarding copies of this despatch to Lausanne and to the Acting British High Commissioner at Constantinople.

I have, &c.
C. H. BENTINCK.

[E 343/343/44] No. 31.

Mr. Henderson to the Marquess Curzon of Kedleston.—(*Received January* 8.)

(No. 6.)

My Lord, *Constantinople, January* 1, 1923.

I HAVE the honour to acknowledge the receipt of your Lordship's despatch No. 1174 of the 13th ultimo, requesting my observations on the use of the title "His Majesty" in reference to the Caliph.

2. Before the Grand National Assembly of Turkey decreed the separation of the Sultanate from the Caliphate, the title of "His Imperial Majesty" (Zat-i-Shahaneh and Shevket Penahi) was used in reference to the Sultan-Caliph. In references to the Caliph Abdul Mejid in the Turkish press and official notifications, the equivalents of "Imperial" are omitted, but otherwise the titles used are the same as, or similar to, those of his predecessors. Like them, he is given the title of "Hazret" (Arabic, "Hadhret"), which literally signifies "Presence," but has the further meanings of "Holiness," "Majesty," and "Excellency." Moreover, "Hazret" may, like "Majesty," be applied to the Deity.

3. The selection of "Majesty" as the European translation of "Hazret" would appear therefore to be purely arbitrary. But the fact remains that in all their communications to me, which have hitherto been in French, the Nationalist authorities in referring to the Caliph have used the words "sa Majesté," while in conversation on one occasion Refet Pasha complacently drew my particular attention to the fact that the title of "Majesté" had been carefully and intentionally preserved.

4. I am inclined to believe that in translating "Hazret," as applied to the Caliph, by "Majesty," Mustafa Kemal Pasha and his advisers desire to give foreigners an erroneous impression as to the actual position of the Caliph, and of their plans for the future of the Caliphate. Natives of this country know well that temporal power is in the hands of Mustafa Kemal Pasha, who is also referred to as "Hazret," translated in his case by "Excellency," often with the additional title of "Ghazi" or "Conqueror of Unbelievers," while the Caliph receives the additional title of "Khilafet Penahi" or "Refuge of the Caliphate."

5. I have not noted in conversation with Refet Pasha or Adnan Bey any indication of an intention to revive the Sultanate. Whatever may be the feelings of a large number of Turks, especially in Constantinople, I much doubt if any such intention exists in the minds of the present Turkish leaders. If the title of "Majesty" has been preserved to the Caliph it is probably with the object of enhancing the dignity and prestige of the office.

I have, &c.
NEVILE HENDERSON,
Acting High Commissioner.

[E 346/16/44] No. 32.

Mr. Henderson to the Marquess Curzon of Kedleston.—(*Received January* 8.)

(No. 10.)

HIS Majesty's representative at Constantinople presents his compliments to His Majesty's Secretary of State for Foreign Affairs and has the honour to transmit herewith copy of a despatch from the acting consul-general, Smyrna, respecting the situation in Smyrna.

Constantinople, January 3, 1923.

Enclosure in No. 32.

Acting Consul-General Urquhart to Mr. Henderson.

(No. A/44.)

Sir, *Smyrna, December 28, 1922.*

I HAVE the honour to report that the situation in Smyrna has again become tense.

2. Its two salient features are, first, the certainty amongst the Turks that war is imminent and, second, the apparent anxiety of the French to conciliate Turkish opinion.

3. The attitude of the local Turkish population, in face of what they believe to be imminent war, is one of apprehension and regret, but they seem perfectly resigned to accept the decisions of their leaders. They are being taught to believe by their authorities that Britain is actively opposed to them in favour of the Greeks; consequently we are regarded with considerable hostility, and my position is none too pleasant *vis-à-vis* a certain type of official. The Governor-General, however, remains friendly in disposition, although he makes no effort to hide the fact that he considers war probable.

4. While it may be possible to overestimate the importance of the local French press, its tone does at least show the attitude of the French civilians in Smyrna, and, to a large extent, the attitude also of the French authorities. I would ask you to refer to the "Echo de France" of the 24th, which contains a list of "Amis des Turcs," headed by the French consul-general. His name was inserted, he says, without his permission, but nevertheless his attitude towards the Turks has certainly changed. At the time of writing my despatch No. A/3 of the 31st October, I had some difficulty in moderating the tone of our various joint protests to what I considered safe terms. For some time past there have been no invitations to joint protests, while the French attitude is now at the other extreme of conciliation and friendliness to the Turks. The other day, for example, the French consul-general, in deference to Turkish wishes, exhibited a notice prominently at the French post office that no letters would be accepted for Greece. This is in contrast to his recent defiance of the Turks to interfere with the working of the post office except by force.

5. There is an atmosphere of unreality about the entire situation. The French are declaring themselves friends of the Turks, while all the time they are not without some apprehension as to what the next move of the Turks may be towards rendering their position as foreigners and traders in Turkey more difficult, and the memory of recent events is still fresh in their minds. The Turks also know perfectly well that the French policy of penetration is quite contrary to the spirit of the modern Turkish programme, and that the work of Christian schools and religious institutions here has lost its value at a time when practically no Christian minority exists and conversion to Christianity is being punished by death. Again, the Turks are being told they must regard Britain as their enemy, yet the trading community is anxious to resume trade relations with us, while the Jews, superficially subservient, look hopefully to us for some action that will cause the Turks to moderate their overbearing disposition. A great deal of lip-service is paid to the "National Pact," and everyone declares it must be stood by, but the majority are really of opinion that the Turkish army has done well enough to gain satisfactory conditions of peace without further fighting. There is, however, no organised opposition as yet to the military party, so that the military are likely to succeed in carrying through whatever programme they have in view. It is generally believed that their programme is to take Constantinople by armed force without further delay.

I have, &c.

R. W. URQUHART.

[E 320/35/44] No. 33.

Memorandum of a Conversation between the Correspondents of the "Times" and Ismail Dervish Bey, Lausanne, January 3, 1923. Communicated by the Marquess Curzon of Kedleston, January 6. Received in Foreign Office, January 8.)

(Extract.)

ISMAIL DERVISH BEY is an Old Turk who has had to leave Turkey on account of his political opinions. He has, however, kept in very close touch with Turkish affairs, and has had relations with numbers of Turks of the Committee of

Union and Progress and the Nationalist organisation now actually in power. In the course of two conversations he made a number of statements, which may be briefly summarised as follows:—

1. The Angora Government is run by and for the corps of officers. These officers number approximately 50,000. They realise that their only aptitude is for war, their only means of gaining a living is by earning military pay and supplementing it with plunder and speculation. The officers therefore have no interest in making peace, and indeed stand to lose financially by the restoration of any state of affairs which does not provide for their retention as well-paid units of a standing army. Peace, accompanied by disarmament or a restriction of the Turkish army, would involve the ruin of most of these officers, and it is probable that they would forcibly, and perhaps successfully, resent any attempt to deprive them of their livelihood in the interests of the rest of the Turkish nation or of the inhabitants of the Near East as a whole.

2. The members of the ruling set at Angora, while eminently successful as intriguers, are, for the most part, men of no great intelligence, and are generally handicapped by an almost unimaginable ignorance of the realities of the outside world. From Ismail Dervish Bey's description of these people, some of them appear to have the mentality and outlook of a backveld Boer.

3. The fiscal system of the Angora Government is uneconomic, as the Treasury largely relies upon forced levies of sums wholly above the capacity of the tax-payer. These result in compulsory sales of property confiscated for non-payment of the impossible taxes. As these seizures of property affect the farm animals, agricultural implements and seed-corn of the peasant, he is left without means of cultivating in the future. In this way the Treasury of Angora is merely living upon the capital of the Anatolians and destroying the prosperity of the country. Ismail Dervish Bey considers, from the information at his disposal, that the Government of Angora will hardly be able to maintain itself by this system of confiscation, which is supplemented by direct and forcible pillage, for more than a year. At the end of that time the country will be dead and the predatory locust-swarm of militarist adventurers will have to find some new province upon which to batten.

Members of the Turkish delegation here in Lausanne and the Angora newspapers already speak and write openly of regarding the acquisition of Adana as a first step to the recovery of Aleppo, that of Adrianople as a means to the reoccupation of Western Thrace and Salonika, of the future seizure of Mosul as being a stage on the road to Bagdad and even of the necessity of envisaging some pro-Arab policy which will lead to the reconquest of Damascus, the Hauranein and Egypt. It is with this latter intention that negotiations are being carried on with the Egyptian Wafanists and that overtures have been made to the discontented Syrians.

4. The Angora Assembly is composed partly of members of the former Turkish Parliament which used to sit in Constantinople and partly of members added since the rise of the Nationalist Party. In no case have these latter members (whether Turks or Kurds) been elected in any recognised way by any recognised constituency. The most that can be said for some of them is that they are delegates chosen by self-nominated political committees in various parts of Anatolia. Others, again, have simply been nominated by the Kemalist leaders and accepted by the Assembly as representing constituencies right outside the area of Kemalistan. In this way early last year "Deputies" sat at Angora for Salonika, Adrianople and Gallipoli, and the present representatives of Erzerum are known never to have visited that town in their lives. It is even pointed out that many of the members, even of the old Turkish Parliament, now in Angora, were elected under war conditions so unusual as practically to invalidate their return according to the ordinary standards of popular representation, even as understood in Turkey.

5. Mustapha Kemal Pasha resides in seclusion at a place about 12 kilom. from Angora. He is attended by ten aides-de-camp and is protected by a guard of about 350 well-armed Lazes. The fidelity of these men is enhanced partly by lavish pay, partly by the fact that their families are licensed smugglers along the Black Sea coast. The Laz guard is strung out at short distances along the road from Angora. No one, not even a vekil or a Deputy, is able to reach Mustapha Kemal's residence unless previous arrangements have been made and individual orders given to the Lazes to let him pass. On arriving at the residence he is overawed by the main guard of the Lazes and is searched by the aides-de-camp before being ushered into the presence. Even after all these precautions, an interview is only possible should the dictator chance at the moment to be sober. It appears that Mustapha Kemal drinks

mastika to excess, and is frequently under its influence for the greater part of the day. He has the reputation, however, of showing an uncanny lucidity and a rare ability to do business during his intervals of sobriety. Mustapha Kemal Pasha causes news of the progress of debates in the Angora Assembly to be telephoned to him, and, upon occasion, has made his rare appearances in that Assembly with every circumstance of dramatic suddenness in order to influence a debate by a well understood menace wrapped up in insincere flattery. On many occasions, however, messages purporting to come from Mustapha Kemal are in fact sent by his aides-de-camp, as it is often found that the dictator's intoxication is too profound to enable him to deal with the questions received.

6. In spite of the pressure which the Government is able to exert upon the Assembly, this body cannot always be coerced. This obstinacy was manifested in the case of the Bill for deposing the Sultan. All that could be obtained, even after forty-eight hours' continuous session, was a vote in favour of postponing the discussion to some later date. The Angora Government, with bare-faced deception, represented this as being a vote in favour of dethroning the Sultan, but did not venture to introduce the companion Bill, which had been prepared, for constituting Mustapha Kemal Chief of State. The intention had been to secure the Sultan's deposition and then to substitute Mustapha Kemal for that person so far as the temporal power of the Sovereign was concerned. As, however, the Assembly realised, possibly dimly in view of the limited intelligence of the majority of its members, that the Sultan had not yet been deposed, the Government was unable to proceed with the second motion. If this information is accurate, it would appear that Mohamed Wahid-el-Din is still Sultan, as he has never abdicated, and even Angora has not really deposed him. It is possible, however, that the Angora Assembly may really have transferred the Caliphate to Abdul Mejid.

7. Accustomed only to a policy of violence and confiscation, and entirely misinformed as to the power of European States, the Angora Government has no intention of being bound by any agreements that its representatives may sign. Even the Angora Agreement, so favourable to the Kemalists, has been broken as convenience dictated. Be ir Sami Bey, who had taken the precaution of telegraphing the text of the agreement with France *in extenso* from Paris, and obtained the dictator's direct order to sign it, was arraigned for high treason on his return to Angora, and was only able to escape with banishment for life as the result of Mustapha Kemal's personal intervention on his behalf. A spy, furnished with a secret cypher, different from that supplied to Bekir Sami Bey, had been attached to his delegation, and, while urging his chief daily to show moderation, nightly sent private messages pointing out how the unhappy plenipotentiary was betraying the Nationalist cause. Similar spies, furnished with secret cyphers, are also attached to Ismet Pasha here in Lausanne, and, in addition to these supplementary representatives of the Angora Government, one (Zekaii) of the Turkish delegation has been instructed to supply the Commissar Aralof, of the Soviet representative in Angora, with secret information, sent by a third cypher. Members of the Turkish delegation here realise that they are more comfortable in Lausanne than they ever were in Angora, and show a seemingly well-founded reluctance to sign any treaty which may expose them to the risk of being treated like Bekir Sami Bey on their return to Anatolia. In these circumstances it may well be asked whether in view of the ignorance and suspiciousness of both Government and Assembly in Angora, any document signed by Ismet in Lausanne would be ratified by the Assembly, or, even if ratified, whether its provisions would exercise any sort of restraint on the Kemalist Administration.

8. It is stated that, in drawing up notes or statements for the conference, the Turkish delegation indulges in discussions in which as many as fifteen or twenty persons take part. The result of their somewhat heated and haphazard conversation is embodied in a document which is presented to Ismet Pasha at an early hour of the morning. His entire ignorance of the subject-matter, and of the arguments involved, may account for his inability to reply to the criticisms which the document, when presented by him to the conference a few hours later, provokes.

9. Ismail Dervish Bey is convinced that, when the Kemalists are finally allowed to effect an unrestricted occupation of Constantinople, after the withdrawal of all Allied forces, the town will be subjected to massacre and pillage. The Kemalists have no regard for Constantinople. They intend to keep their capital at Angora, and only look upon the former "Abode of Bliss" as a hitherto unexhausted means of replenishing their treasury by the usual methods and as the residence of numbers of their political opponents.

10. The ignorance and stupidity of the ruling classes in Angora is in no way alleviated by the two principal Nationalist newspapers, the "Yeni-Gun" and the "Hakkimati-Millié." These merely exist as the vehicle for representing the inspired utterances of high officials as being genuine manifestations of public opinion. In point of fact, such public opinion as may exist in Anatolia has no means of manifesting itself. Any ordinary person who expresses an opinion different from those approved in Angora runs the risk of being shot as an "anti-Nationalist," and few Deputies (most of whom have, as their sole means of livelihood, their salaries as "representatives" or the opportunities of peculation enjoyed by them in their official capacity) are anxious to criticise a system of government with which their own prosperity is so closely bound up.

11. Although Mustapha Kemal and his gang are all-powerful in Angora, where, it appears, the very number of his would-be successors is in itself a powerful factor in favour of his personal safety, he has no sort of authority in North-Eastern Anatolia. This area is ruled, not badly, by Kiazim Karabekir Pasha, who is enthroned in Ezerum. This potentate collects taxes, constructs roads, builds schools and rules despotically far and wide. He takes no orders from Angora, conducts his policy on his own lines, and to suit himself, and in return for a financial contribution from Moscow, has acquiesced in the reannexation of the short-lived Caucasian Republic by the Russians. A great deal has been said about the amount of money spent in Angora by the Commissar Aralof, but it really appears that the only substantial sums paid to Turks have been those received by Kiazim Karabekir, while the bulk of the money spent by the Bolsheviks in Western Anatolia has been in the form of bribes to individuals who have, financially, a comparatively humble view of their own importance. We were assured that a vote in the Angora Assembly can be bought for ten gold pieces.

12. Ismail Dervish Bey warned us that, even if "some sort of a paper" were to be signed at Lausanne and ratified at Angora, the consequent withdrawal of the Allied forces from the Straits would be followed by formidable raids on a large scale across the southern frontiers of Turkey into Syria and Irak. The Angora Government would disclaim all responsibility, protesting that the raiders were demobilised officers and soldiers or professional brigands over whom it had no authority. These raids would be extensive and destructive, as Angora would be largely dependent upon the booty collected as a means of keeping these "unofficial" irregulars in the field. He instanced the immense trouble given by a comparatively insignificant force of Turkish officer raiders, operating from an inadequate and distant base, to the Italians in Libya as justifying his prediction that the British and French would find it infinitely cheaper to protect Irak and Syria by keeping their present forces on the Straits than by having to employ thrice the number of men in a possibly vain endeavour to exclude innumerable and determined raiders from countries with a long and exposed line of frontier.

HUBERT WALTER.
HARRY PIRIE-GORDON.

[E 318/1/44] No. 34.

Conversation between Ferid Bey and M. des Closières.—Forwarded by Peace Delegation at Lausanne.—(Received in Foreign Office, January 8.)

M. BOMPARD, président de la Sous-Commission financière, a autorisé, à la demande d'Ismet Pacha, une conversation entre Ferid Bey et M. des Closières sur les différentes questions soumises à la sous-commission. Il avait précisé que la discussion ne saurait porter que sur les points pour lesquels aucun accord n'était intervenu, mais que le délégué turc pouvait faire connaître son sentiment sur toutes les clauses sans distinction, M. des Closières se bornant à en registrer ses déclarations.

Cet entretien a eu lieu le 3 janvier: Ferid Bey a fait remarquer, en commençant, que cet entretien avait un caractère privé et qu'il n'en serait pas fait état. Cependant, à la fin de notre conversation, il m'a invité à en rendre compte à M. Bompard. Les principaux articles des clauses financières ont été tout d'abord passés en revue; la discussion a ensuite porté sur le tableau de la Dette publique dressé par les soins de la délégation turque. Cet examen a fait nettement apparaître l'intransigeance de Ferid Bey, qui non seulement se refusait à la moindre concession, mais présentait des demandes impossibles même à discuter.

Il est allé plus loin et a émis la prétention de reprendre toutes les clauses sur lesquelles l'accord s'était fait, avant son arrivée, attendu qu'aucun accord n'était définitif jusqu'à la signature du traité.

L'expert français lui ayant fait remarquer que ses exigences étaient réellement inacceptables et qu'il ne pouvait avoir la prétention d'imposer aux Alliés les clauses financières de son choix, Ferid Bey a répondu : "Nous ne demandons rien que de parfaitement juste ; nous pourrions demander plus. Dans tous les cas, ces conditions seront acceptées, ou nous ne signerons pas."

M. des Closières ayant demandé : "Avez-vous bien réfléchi aux conséquences d'une pareille décision ?"

"Certainement," a répondu Ferid Bey, "nous avons bien vécu quatre ans sans paix ; nous pouvons nous en passer quelque temps encore."

"D'ailleurs," a-t-il ajouté, "vous voulez nous imposer une paix de vainqueurs. Mais vous n'êtes pas des vainqueurs et nous ne sommes pas des vaincus. C'est au lendemain de l'armistice qu'il fallait essayer de nous faire admettre vos conditions : peut-être à ce moment-là aurions-nous été obligés de céder à vos exigences ; mais aujourd'hui, oh non ! les circonstances ont changé.

"La France ne veut pas, et d'ailleurs ne peut pas, nous faire la guerre. C'est sur le Rhin qu'elle doit et qu'elle devra de plus en plus concentrer toutes ses forces et toute son attention, sans avoir le loisir de s'occuper d'autres questions.

"Quant à l'Angleterre, elle voudrait bien, celle-là, reprendre la lutte ; mais nous ne la craignons pas. Elle ne pourra pas cette fois, suivant son habitude, faire marcher les autres, et si les négociations sont rompues, quarante-huit heures plus tard nos braves troupes entreront en Mésopotamie. Elles se battent depuis douze ans, elles se battront encore aussi longtemps qu'il sera nécessaire pour réaliser nos objectifs nationaux. Reste l'Italie ; ah ! pour celle-là, laissez-moi rire !

"Je conclus : nous cherchons à assurer la paix à notre peuple, qui l'a tellement méritée, mais nous ne craignons pas la guerre. Et si nous ne lui apportions pas un traité qui réalise toutes ses aspirations et lui assure toutes les libertés qu'il exige, ce peuple le rejetterait."

M. des Closières avait écouté avec calme cette longue tirade. Il se contenta de répondre : "Je crois, Ferid Bey, que vous vous faites quelques illusions. Mais revenons à nos clauses financières : vous avez fait allusion à un contre-projet que vous préparez—quand l'aurez-vous prêt ?"

"Oh, pas avant deux jours !"

"Mais ne craignez-vous pas que M. Bompard, qui est poussé par la Troisième Commission, ne consente pas à attendre plusieurs jours encore avant de convoquer la sous-commission ?"

"Mais que M. Bompard la convoque, si cela lui plaît," répond avec désinvolture Ferid Bey. "Je n'irai certainement pas ; j'enverrai un sous-ordre qui se contentera de répondre 'Non' à toutes les questions. La séance ne sera pas longue."

Et sur ces mots l'entretien prend fin.

Lausanne, le 1 janvier 1923.

[E 370/15/44] No. 35.

Sir R. Graham to the Marquess Curzon of Kedleston.—(Received January 8.)

(No. 9.)
My Lord, *Rome, January* 1, 1923.

WITH reference to my telegram No. 1 of to-day's date, I have the honour to report that I received yesterday from the Italian Ministry for Foreign Affairs a *note verbale* informing me that the Italian Government were disposed to issue instructions with a view to export-permits for war material to Turkey being suspended, in accordance with the measures taken by His Majesty's Government and the French Government.

As the note contained no mention of war material for Greece, and was not, in my opinion, an adequate reply to the representations which I addressed to the Italian Government on receipt of your Lordship's telegram No. 417 of the 21st ultimo with a view to obtaining the prohibition of such exports as from the 1st January, I approached the Ministry privately on the subject, suggesting that the omission of any mention of Greece had doubtless occurred through an oversight, and asking when I might be

informed when the Italian Government proposed to take the measures indicated. After enquiry had been made of the competent official at the Ministry, I was told by the acting "chef de cabinet" that the export prohibition had actually been enforced in respect both of Greece and Turkey as from the 1st instant, and that a further and more accurate note should be sent me at once in substitution of the previous one.

This evening I have received the note, of which I have telegraphed the substance to your Lordship in my telegram No. 4, stating that steps have been taken to suspend, from the 1st January until further notice, permits for the export from Italy of war material to Greece and Turkey.

I have, &c.
R. GRAHAM.

[E 372/35/44] No. 36.

Sir R. Graham to the Marquess Curzon of Kedleston.—(Received January 8.)

(No. 15.)
My Lord, *Rome, January* 5, 1923.

ALTHOUGH, as reported in the press summary sent in my despatch No. 1181 of the 29th December, the Italian press, in dealing with the Lausanne Conference, was remarkably slow in taking up the subject of Mosul, the issue has during the past few days been amply ventilated.

There is a distinct tendency to attribute the crisis at Lausanne to the British insistence on Mosul, and to slur over the divergence on the Capitulations, thus making England responsible for an eventual rupture.

With this exception the tenor of the discussion has been remarkably reasonable. It will be remembered that the theme of British oil-fields is one which, in the past, has provoked the most violent hostility in the press of this country. The word "oil" has been a red rag to Nationalists and Socialists alike, who found themselves at one in attacking what was regarded as the tyranny of British capitalism. The fact that the British oil industry was the sole available protection to Italy against the consequences of an undivided American oil monopoly was overlooked, and perhaps on no subject was Italian Anglophobia more susceptible. Any suggestion that the joint policy of the Allies was being influenced by British oil interests was particularly resented; it was, therefore, to be expected that a strong demand would be expressed to break the Allied front on this point at Lausanne.

The majority of the articles which have appeared have, on the contrary, sought to place the question of Mosul if not in a friendly at least in an impartial light. The "Mondo" (30th December) observes: "The subject is eminently political; the importance of the economic and financial interests in play, the agreements entered into by the great trusts, would not by themselves sufficiently explain the violence of the dispute. England has to defend at Mosul, not only or chiefly her oil interests, but the whole of her imperial policy as it stands in its new form of a commonwealth. This policy is based on the one hand on the treaties concluded with the new States, and on the other on the colonial mandates. Lord Curzon is not indulging in sophistry when he invokes the Mesopotamian Treaty of the 10th October, 1922. It is impolitic to make an outcry about hypocrisy against what is a perfectly logical system. Every great State must evolve its own structure and fight for it. On the other hand, the Turks, after the separation of the religious and political power, are compelled to develop a policy of protection of the Turkish nationality such as may enable Angora to become a new and independent centre."

The Collaborationist-Socialist organ, "Giustizia" (2nd January), summarises the same argument to explain the British intransigence, and the London correspondent of the "Stampa" (3rd January) writes: "It is not primarily for the sake of oil that England is determined to hold to the pact guaranteeing Mosul to King Feisal. She could exploit oil-fields even in Turkish territory. What she is bound to preserve is the safety of her communications."

The "Giornale di Roma," however, notes that "Turkish circles at Lausanne look with optimism on the attitude of the French and Italian delegations. They are fully persuaded, with whatever truth, that the latter will refuse to follow the British lead."

The "Mattino" alone adopts the old abusive attitude on the subject. "England continues serenely to organise, under the eyes of the League, a system of protectorates which the covenant of the League expressly forbids, and has the added insolence to ask

the League to recognise its protectorates, as in the case of Irak, as independent Sta It is time this frigid farce was ended. Let England say she wants the Vilayet of Mosul for herself, and go and defend it with her own blood. What possible claim has she on us? We are not going to make war to help England to maintain the oil monopoly with which she strangles and threatens us."

The "Tribuna" and "Nuovo Paese" resign themselves to the "necessarily secondary" part played in the matter by Italy; and thus far, with the exception of the "Mattino," there has been little talk of the sacrifice of Italian interests. Extreme pessimism, however, prevails, particularly since the breakdown of the Paris Conference, as to the chances of a peaceful issue at Lausanne.

I have, &c.
R GRAHAM.

No. 37.

The Marquess Curzon of Kedleston to Sir Eyre Crowe.—(Received January 8.)

(No. 180.) [By Bag.]
(Telegraphic.) *Lausanne, January 5, 1923.*

FOLLOWING cypher telegram sent to Major Marshall, Jeddah:-

"(No. 3.) "*Lausanne, January 5, 8·30 P.M*

"My telegram No. 2 of 27th December.

"It has not yet been decided whether draft treaty which we are now preparing and hope to present on or about 11th January will be followed by a fuller and final draft treaty later on. Very likely this may turn out to be unnecessary. Draft contains following clause:—

"'Turkey renounces all rights and titles of whatever kind over or concerning all territories or islands other than those over which Turkish sovereignty is recognised by the present treaty.

"'Turkey recognises and accepts dispositions which have been made or may be taken concerning the attribution, independence or any other settlement of these territories or islands.'

"No specific mention of the Hedjaz will therefore be made in this treaty, her independent status having been, in any case, admitted by the Allies when her representative took a seat at the Paris Conference in 1919. As you know, she is also at any time at liberty to become a member of the League of Nations by ratifying the Treaty of Versailles.

"The Hedjaz Railway will not be mentioned in the treaty, but question of the return by Turkey of objects carried off from detached territories, including loot from Prophet's tomb at Medina, is being raised in appropriate sub-commission, and necessary clause may perhaps be inserted in the treaty. Question of Haramein Wakfs will not be touched in the treaty."

No. 38.

The Marquess Curzon of Kedleston to Sir Eyre Crowe.—(Received January 8.)

(No. 181.) [By Bag.]
(Telegraphic.) *Lausanne, January 6, 1923.*

AT meeting of Commission for Capitulations this afternoon the usual etiquette was faithfully observed. The president, in gentle accents, advocated conciliation and repeated the Allied terms. Ismet Pasha delivered what he termed a reply to our speeches a week ago, but failed to recede in slightest degree from either the formulas or the facts of his previous position, the Turkish plan as expounded by him being to refuse all concessions here, and to offer negotiation of separate treaties with individual Powers later on. I replied to Ismet and pointed out the consequences of a failure to settle the matter now, namely, large exodus of commercial communities if deprived of protection of Capitulations, and constant friction between foreign Governments and Turkish authorities over complaints of those who might remain. M. Barrère cordially supported me. The meeting closed with familiar adjurations for harmony and settlement in short space of time now left to us. In my view the sitting was both futile and fruitless. But the Italian delegation persist in detecting symptoms of Turkish relentment and declare that, having once again tested the unity of the Allies, they will presently propose or agree to some compromise. As the Italians are always working below the surface they may know more than I do. But I remain sceptical.

At one of the sub-committees this morning the second Turkish delegate behaved with such studied insolence that Barrère, Garroni and I have felt obliged to address a letter of remonstrance to Ismet.*

Barrère goes to Paris till Tuesday, when I take report of Minorities Commission, and trouble may be expected.

No. 39.

Mr. Henderson (No. 16) to the Marquess Curzon of Kedleston.—(Repeated to Foreign Office; Received January 8.)

(No. 9.)
(Telegraphic.) *Constantinople, January 8, 1923.*

I CALLED on representative of Grand National Assembly yesterday and met Hassan Bey there.

I asked the latter about his visit to Angora and said that I hoped that Grand National Assembly had been more reasonable than press made out, as otherwise I saw faint prospect of much progress being made at Lausanne.

He professed to be fairly optimistic, though he was not particularly communicative. He mentioned two points which Grand National Assembly would never agree to, viz., an Armenian home and exemption from military service for Christians. He gave me impression that Turks would ultimately make some arrangement respecting judicial guarantees for foreigners. He regarded Straits question as settled. Both he and Adnan laid great stress on peaceful intentions of Turkey and her real desire for peace. But both repeated in unison the wearisome refrain of Turkey's independence. I do not believe their heads are capable of holding more than one idea, and everything is subordinate to it and it covers everything.

Both showed considerable anxiety to hear my views as to result of failure of Allies to agree in Paris. Turks obviously hope to gain some advantage for themselves thereupon. I made it quite clear that Allied front at Lausanne in respect of Turkey would remain unaffected by what was merely a difference of method and not of principle on the subject of German reparations.

Hassan assured me that Turkish delegation had full powers and that what was signed at Lausanne would be ratified without delay at Angora. He paid unaffected tribute to your goodwill and efforts for peace.

No. 40.

Sir Eyre Crowe to the Marquess Curzon of Kedleston (Lausanne).

(No. 121.)
(Telegraphic.) *Foreign Office, January 8, 1923.*

FOLLOWING from Prime Minister:—

"Rustem Bey, the Turkish economic expert, is here with two persons described as former Ministers of Commerce and Railways respectively and members of advisory delegation at Lausanne. They have come ostensibly to arrange for a British syndicate to work oil in Mosul for benefit of Turks, but we are informed that they would also like to see representatives of Government here, which is, of course, out of the question. They say that sole point of disagreement which prevents signature of treaty at Lausanne is Mosul, and that Ismet will confirm that if question of Mosul is settled in favour of Turkey, treaty would be agreed to to-morrow."

[E 404/4/44] No. 41.

Mr. Bentinck to the Marquess Curzon of Kedleston.—(Received January 9, 1923.)

(No. 752.)

My Lord, *Athens, December 27, 1922*

WITH reference to your Lordship's despatch No. 800 of the 28th ultimo calling for a report on the present position of refugee relief arrangements at Athens, I have the honour to report as follows:—

2. At Stringos Camp, New Phalerum, the British committee maintain about 4,000 refugees. These are fed, clothed, housed, provided with blankets, medical treatment, a dispensary, a mortuary, washing accommodation, &c.; a hospital has been erected and everything possible is done to maintain cleanliness and law and order. Difficulties arise from time to time owing to general dissatisfaction, and as the British committee consists of people who are busy with other occupations, no one is able to give full time to guarding the camp in the manner which it really requires. A paid doctor, two British nurses and one Greek nurse work at the hospital, where there are now fifty beds. Unfortunately, the mortality in the hospital is comparatively high, because the refugees generally endeavour to conceal cases of illness until they are too far gone to be saved. There were some weeks ago about forty cases of smallpox, but the outbreak was successfully stamped out. There were two fresh cases the other day, but these have, I understand, also ceased. There have been some cases of scarlet fever, and there are now many cases of pneumonia. Owing to the weak state of the sufferers they usually succumb. This is, I understand, also the case in other camps, and is not to be wondered at. By an arrangement with the "Save the Children" Fund, the food at Stringos Camp is now provided by that fund.

3. Part of a British brewery in Athens was some time ago requisitioned and refugees dumped down there in an almost starving condition. The British committee felt that they dared not undertake any more responsibilities, and the Americans were asked if they could feed these people. However, an unexpected and generous donation reached Mr. Lindley just at that moment from Greeks in Bombay, and this induced the British committee to undertake to feed, clothe, distribute blankets, medical assistance, &c., to the 400 refugees in this brewery.

4. For many months the Greek Government had been pressing His Majesty's Legation to repatriate some 320 Assyrians from Amadia, near Mosul. His Majesty's Legation had no funds for this purpose; meanwhile, the Greek Government could not possibly allow them to remain in St. George's Island off Pirœus, where there was a quarantine station, as the island was required for the disinfection of fresh arrivals. These refugees appealed to His Majesty's Legation for assistance and shelter, and they were finally removed to a monastery in the Island of Poros, where they are now housed and entirely maintained by the British committee. Their regret now is that they can find no work, which they are anxious to do and for which they appear to be well fitted. There was a doubt as to how far the committee were justified in maintaining these people out of refugee funds, and "Save the Children" representatives felt that they could not allocate to them money which had been given for refugees from Asia Minor. I myself felt very strongly that, whether these refugees came from Asia Minor or from other parts of Turkey, they were Christian victims of Turkish barbarity who could not be allowed to starve, and I therefore urged that we must support them out of such funds as we possess.

5. The first funds received by the British committee were those raised locally, which amounted to about 700*l.* In answer to an appeal in the "Times" by Mrs. Lindley, a further sum of about 870*l.* was placed to Mr. Lindley's account in London. A sum of 1,000*l.* was subsequently placed in Mrs. Lindley's name at the National Bank of Greece by the "All British Appeal," and Greeks in Bombay forwarded to Mr. Lindley the sum of 1,141*l.* 9*s.* 9*d.* Private gifts from England have now reached His Majesty's Legation and the British committee. Greeks in Australia have just sent a sum of 150,000 drachmas, which they preferred should be distributed by British hands. I have the honour to enclose a brief summary financial statement drawn up by the Rev. W. A. Wigram regarding receipts and expenditure up to the 25th instant.* The 650*l.* to which he refers at the end of his note is the unspent

* Not printed.

balance of the 870*l.* placed to Mr. Lindley's credit at Drummond's Bank. In addition to the above, a relief train was sent out from England in November and the contents distributed by "Save the Children" representatives, who gave 1,000 blankets to the British committee for distribution in their camps; 200 blankets were also "lent" by the "Save the Children" Fund for the Assyrians, but these have now been paid back by the British committee. Clothing material was sent from England in answer to appeals from Mrs. Lindley and my wife, and this is made up into clothes by weekly working parties at His Majesty's Legation. Old clothes are also contributed by the local British community, and a generous gift of clothing was received from a Greek lady. A consignment of 4,000 blankets and a considerable quantity of medical stores have just reached me by boat from England, and these are now in the course of distribution to various centres. I have had 800 sent to the British committee working under the British vice-consul at Zante in answer to an urgent appeal; 50 have been sent to the British committee at Patras; 1,000 are being forwarded to the British committee at Volo; 150 to an American lady in Athens for distribution amongst persons in whom she is interested; 200 have been given as stated to "Save the Children" Fund in repayment of those lent to the Assyrians; and 50 are being kept at His Majesty's Legation for distribution at my discretion. A further consignment will probably be sent to Salonica after consultation with the Central Co-ordination Committee and the Americans. The medical supplies are being distributed to the various camps and to the British committees working in other parts of Greece. A further distribution will be arranged in co-operation with the Central Committee representing the Ministry of Relief, the Greek Red Cross and the Americans.

6. I should here observe that, in addition to the work done locally, the British committees are in close touch, through His Majesty's Legation, with British committees working at Salonica, Volo, Patras, Corfu and Zante, to whom consignments of milk and other supplies have been sent from time to time. A serious outbreak of smallpox as well as other illnesses occurred amongst the refugees at Zante, and urgent appeals for help were received by me from Mr. Vice-Consul Sargint. I have done what I could to have medicine and other necessaries despatched there with as little delay as possible. I presume that the "Save the Children" Fund receive full reports of the work which they perform from their representatives here, who are working on more or less independent lines under a Baron de Reding, representative of the International Red Cross, and who, as already stated, co-operate with the British committee in feeding the camp at Stringos. For further details I have the honour to refer your Lordship to an interesting article on p. 13 of the "Times" of the 14th December, written by the chaplain to His Majesty's Legation, who is acting treasurer of the British committee.

7. I have the honour once more to refer to the appeals which I have constantly made for a staff to co-ordinate the whole British effort, which at present is dissipated and shows up in poor contrast with the American effort, which is thoroughly concentrated. When the British committee started operations the idea was to carry on until help arrived from home This they are still hoping to receive, for they could not hand over to the "Save the Children" Fund, whose work here is British in deed rather than in name. Besides, as the above review will show your Lordship, the work of the British committee has been much wider than that of merely feeding children, and the responsibility for maintaining order and cleanliness in the camps is not by any means the least important and difficult of its various tasks. The enclosed financial statement* will show your Lordship that the committee would be in a position financially to extend their work, but that this is very difficult to do in view of the lack of staff.

8. The committee have at present under consideration a proposal to start a kitchen at Larissa station at Pirœus, where an Englishman recently discovered many refugees literally starving. We propose to allocate to this the gift just received from Australia. We are also considering opening a hospital at Zante, where, as stated above, the need is great. We are, moreover, now negotiating with a Mr. Atherton Smith, who has had relief experience at Paris and at Vienna, and who is recommended to me by two representatives of the Society of Friends, to see if he will undertake the co-ordination of the British effort in Greece. I shall probably have occasion to telegraph to your Lordship about this within the next few days. A lady in England, also recommended by the Society of Friends, is anxious to assist us, and we shall now probably telegraph to her to come out and take charge of the Stringos Camp. I cannot too strongly urge the importance of concentrating the whole British effort in British hands, and I trust His Majesty's Legation may still count upon the whole-hearted support of the "All British Appeal" in this very difficult and responsible task.

* Not printed.

9. I have the honour to transmit herewith a copy of a list received from the Central Committee showing the numbers of refugees in Greece and the centres to whic they are distributed.* Your Lordship will observe that there are now—

131,000 at Athens and Pirreus,
20,000 at Volo,
11,600 at Patras,
130,000 at Salonica and district, and nearly
13,000 at Corfu.

The total number of refugees in Greece now amounts to 868,186, and another 52,000 are expected to arrive shortly.

10. I have the honour to enclose a copy of a despatch from His Majesty's consul at Athens* in reply to the circular issued by me to His Majesty's consular officers in Greece on the 29th ultimo, a copy of which was forwarded to your Lordship in my despatch No 680 of the 1st instant. This will show the position so far as the relief of British refugees from Smyrna is concerned.

I have, &c.
C. H. BENTINCK

[E 381/1/44] No. 42.

Projet de Clauses relatives à la Protection des Minorités.—(Communicated by Peace Delegation (Lausanne); Received in Foreign Office, January 9.)†

ARTICLE 1er.

Accepté. LA Turquie s'engage à ce que les stipulations contenues dans les articles de la présente section soient reconnues comme lois fondamentales, à ce qu'aucune loi, aucun règlement, ni aucune action officielle ne soit en contradiction ou en opposition avec ces stipulations et à ce qu'aucune loi, aucun règlement ni aucune action officielle ne prévalent contre elles.

ARTICLE 2.

Le Gouvernement turc s'engage à accorder à tous les habitants de la Turquie pleine et entière protection de leur vie et de leur liberté, sans distinction de naissance, de nationalité, de langue, de race ou de religion.

Tous les habitants de la Turquie auront droit au libre exercice, tant public que privé, de toute foi, religion ou croyance dont la pratique ne sera pas incompatible avec l'ordre public et les bonnes mœurs.

Accepté. Les minorités non musulmanes jouiront pleinement de la liberté de circulation et d'émigration, sous réserve des mesures s'appliquant, sur la totalité ou sur une partie du territoire, à tous les ressortissants turcs et qui seraient prises par le Gouvernement turc pour la défense nationale ou pour le maintien de l'ordre public.

ARTICLE 3.

Les ressortissants turcs appartenant aux minorités non musulmanes jouiront des mêmes droits civils et politiques que les musulmans.

Tous les habitants de la Turquie, sans distinction de religion, seront égaux devant la loi.

Accepté. La différence de religion, de croyance ou de confession ne devra nuire à aucun ressortissant turc en ce qui concerne la jouissance des droits civils et politiques, notamment pour l'admission aux emplois publics, fonctions et honneurs ou l'exercice des différentes professions et industries.

Il ne sera édicté aucune restriction contre le libre usage par tout ressortissant turc d'une langue quelconque, soit dans les relations privées ou de commerce, soit en matière de religion, de presse ou de publications de toute nature, soit dans les réunions publiques.

Nonobstant l'existence de la langue officielle, des facilités appropriées seront données aux ressortissants turcs de langue autre que le turc pour l'usage oral de leur langue devant les tribunaux.

* Not printed.
† Revise; for all printed as No. 14.

ARTICLE 4.

Les ressortissants turcs appartenant à des minorités non musulmanes jouiront du même traitement et des mêmes garanties en droit et en fait que les autres ressortissants turcs. Ils auront notamment un droit égal à créer, diriger et contrôler à leurs frais toutes institutions charitables, religieuses ou sociales, toutes écoles et autres établissements d'enseignement et d'éducation, avec le droit d'y faire librement usage de leur propre langue et d'y exercer librement leur religion. Accepté.

ARTICLE 5.

En matière d'enseignement public, le Gouvernement turc accordera dans les villes et districts où réside une proportion considérable de ressortissants non musulmans, des facilités appropriées pour assurer que dans les écoles primaires l'instruction soit donnée dans leur propre langue aux enfants de ces ressortissants turcs. Cette stipulation n'empêchera pas le Gouvernement turc de rendre obligatoire l'enseignement de la langue turque dans lesdites écoles.

Dans les villes ou districts ou existe une proportion considérable des ressortissants turcs appartenant à des minorités non musulmanes, ces minorités se verront assurer une part équitable dans le bénéfice et l'affectation des sommes qui pourraient être attribuées sur les fonds publics par le budget de l'État, les budgets municipaux ou autres, dans un but d'éducation, de religion ou de bienfaisance. Accepté.

Les fonds en question seront versés aux représentants qualifiés des établissements et institutions intéressés.

ARTICLE 6.

Le Gouvernement turc agrée de prendre à l'égard des minorités non musulmanes en ce qui concerne leur statut familial ou personnel toutes dispositions permettant de régler ces questions selon les usages de ces minorités.

Ces dispositions seront élaborées par des commissions spéciales composées en nombre égal de représentants du Gouvernement turc et de représentants de chacune des minorités intéressées. En cas de divergence, le Gouvernement turc et le Conseil de la Société des Nations nommeront d'un commun accord un surarbitre choisi parmi les juristes européens. Accepté.

Le Gouvernement turc s'engage à accorder toute protection aux églises, synagogues, cimetières et autres établissements religieux des minorités précitées. Toutes facilités et autorisations seront données aux fondations pieuses et aux établissements religieux et charitables des mêmes minorités actuellement existants en Turquie, et le Gouvernement turc ne refusera, pour la création de nouveaux établissements religieux et charitables, aucune des facilités nécessaires qui sont garanties aux autres établissements privés de cette nature.

ARTICLE 7.

Les ressortissants turcs appartenant aux minorités non musulmanes ne seront pas astreints à accomplir un acte quelconque constituant une violation de leur foi ou de leurs pratiques religieuses, ni frappés d'aucune incapacité s'ils refusent de comparaître devant les tribunaux ou d'accomplir quelque acte légal le jour de leur repos hebdomadaire. Accepté.

Toutefois, cette disposition ne dispensera pas ces ressortissants turcs des obligations imposées à tous autres ressortissants turcs en vue du maintien de l'ordre public.

ARTICLE 8.

La Turquie est prête à examiner avec le Conseil de la Société des Nations la possibilité de permettre aux ressortissants turcs non musulmans d'être exemptés du service militaire moyennant le paiement d'une taxe. Cette taxe d'exonération devra être modérée et sera la même pour les musulmans comme pour les non-musulmans, au cas où la Turquie accorderait la même exemption à tous ses ressortissants. Rejeté par la Délégation turque.

ARTICLE 9.

La Turquie agrée que, dans la mesure où les stipulations des articles précédents de la présente section affectent les ressortissants non musulmans de la Turquie, ces stipulations constituent des obligations d'intérêt international et soient placées sous la

garantie de la Société des Nations. Elles ne pourront être modifiées sans l'assentiment de la majorité du Conseil de la Société des Nations. L'Empire britannique, la France, l'Italie et le Japon, par les présentes, s'engagent à ne pas refuser leur assentiment à toute modification desdits articles qui serait consentie en due forme par la majorité du Conseil de la Société des Nations.

La Turquie agrée que tout membre du Conseil de la Société des Nations aura le droit de signaler à l'attention du conseil toute infraction ou danger d'infraction à l'une quelconque de ces obligations, et que le conseil pourra procéder de telle façon et donner telles instructions qui paraîtront appropriées et efficaces dans la circonstance.

Accepté. La Turquie agrée, en outre, qu'en cas de divergence d'opinions sur des questions de droit ou de fait concernant ces articles, entre le Gouvernement turc et l'une quelconque des autres Puissances signataires ou toute autre Puissance, membre du Conseil de la Société des Nations, cette divergence sera considérée comme un différend ayant un caractère international selon les termes de l'article 14 du Pacte de la Société des Nations. Le Gouvernement turc agrée que tout différend de ce genre sera, si l'autre partie le demande, déféré à la Cour permanente de Justice internationale. La décision de la Cour permanente sera sans appel et aura la même force et valeur qu'une décision rendue en vertu de l'article 13 du Pacte.

ARTICLE 10.

Accepté. Les droits reconnus par les stipulations de la présente section aux minorités non musulmanes de la Turquie sont également reconnus par la Grèce à la minorité musulmane vivant sur tout son territoire.

Le 3 janvier 1923.

No. 43.

The Marquess Curzon of Kedleston to Sir Eyre Crowe.—(Received January 9.)

(No. 187.)
(Telegraphic.) *Lausanne, January* 9, 1923.

YOUR telegram No. 121.
Following for Prime Minister:—

"You no doubt realise that the appearance of the two Turkish representatives in London is a manœuvre very likely suggested by Townshend, who was here a week ago and counselled Turks to hold out about Mosul because in the last resort His Majesty's Government would yield. It is the expiring attempt of Turks after their failure to move me about Mosul here to go behind my back and get pressure applied to me by Cabinet or press in London on the fictitious plea that Turkish delegation is ready to concede everything else, of which it has so far not shown the remotest sign. No encouragement whatever should be given either to these persons or to their plea."

No. 44.

Mr. Henderson to Sir Eyre Crowe.—(Received January 9.)

(No. 12.)
(Telegraphic.) *Constantinople, January* 9, 1923.

BRITISH liaison officer attached to Greek headquarters at Dedeagatch has telegraphed to General Harington that Greek Commander-in-chief has informed him that Greek army, in the event of Lausanne Conference breaking up without settlement, would at once seize bridgeheads at Karagach and Kuleli Burgas and advance as far as Chatalja, but not beyond.

Greek Commander-in-chief asked British liaison officer to ascertain views of British and French Governments towards such action, which he justified on the grounds of numerous Turkish violations of Mudania Convention.

General Harington has informed British liaison officer that matter has been referred to me for such action as may be necessary.

Greek Commander-in-chief's enquiry would seem covered by warning which you instructed His Majesty's Chargé d'Affaires at Athens in your telegram No. 3 to Athens to make to Greek Government as regards isolated action, but perhaps you may wish to mention matter to M. Venizelos.

(Sent to Lausanne, No. 22; repeated to Athens, No. 3.)

[E 427/1/44] No. 45.

Lausanne Conference on Near Eastern Affairs.

(Strictly Confidential.)

TERRITORIAL AND MILITARY COMMISSION.

Draft Minutes of the Seventeenth Meeting, December 19, 1922, *at* 12 *noon, under the presidency of Lord Curzon.—(Received in Foreign Office, January* 10, 1923.)

(Sixth Meeting of the Straits Commission.)

Present:

BRITISH EMPIRE.	FRANCE.	ITALY.
The Marquess Curzon of Kedleston.	M. Barrère.	Marquis Garroni.
Sir H. Rumbold.	M. Bompard.	M. Montagna.
		M. Lago.

UNITED STATES OF AMERICA.	JAPAN.	GREECE.
Mr. Child.	Baron Hayashi.	M. Venizelos.
Admiral Bristol.	Mr. Otchiai.	M. Caclamanos.
Mr. Grew.		

ROUMANIA.	SERB-CROAT-SLOVENE STATE.	TURKEY.
M. Duca	M. Spalaikovitch.	Ismet Pasha.
M. Diamandy.	M. Rakitch.	Riza Nour Bey.
		Hassan Bey.

BULGARIA.	RUSSIA.
M. Théodorof.	M. Chicherin.
M. Stanciof.	M. Rakovsky.

Also present:

BRITISH EMPIRE.	FRANCE.	ITALY.
Sir W. Tyrrell.	Admiral Lacaze.	Admiral Chelotti.
Admiral Sir R. Keyes.	General Weygand.	Colonel Vitale.
Major-General Burnett-Stuart.	Mr. Laroche.	M. Arlotta.
Mr. Malkin.	M. Fromageot.	M. Guariglia.
Mr. Ryan.	M. de Lacroix.	M. Ciamarra.
Captain Pound, R.N.	M. Laporte.	Dr Senni.
Lieut.-Colonel Heywood.	M. de Percin	
Mr Nicolson.	Lieut.-Colonel Courtin.	
Mr. Forbes Adam.	Captain de Lamoricière.	
Mr. Leeper.		
Mr. McClure.		
Major McLeod.		

UNITED STATES OF AMERICA.	JAPAN.	GREECE.
Mr. Amory.	Mr. Nagaoka.	General Mazarakis.
	Mr. Sato.	M. Dendramis.
	Colonel Saigo.	M. Politis.
	Captain Tsuru.	
	Mr. Tani.	

ROUMANIA.	SERB-CROAT-SLOVENE STATE.	TURKEY.
M. Contzesco. Colonel Dumitresco.	M. Djouritch. M. Antitch	Munir Bey. Moukhtar Bey Lieut.-Colonel Tevfik Bey.

BULGARIA.	RUSSIA.
M. Morof.	M. Berens. M. Chapochnikof.

Secretariat-General.

M. Massigli, *Secretary-General of the Conference.*

BRITISH EMPIRE.	FRANCE.	ITALY.
Mr. Spring-Rice. Mr. Wicks.	M. Lagarde.	M. Indelli.

UNITED STATES OF AMERICA.	JAPAN.	GREECE.
Mr. Belin.	Mr. Hotta.	M. Collas.

ROUMANIA.	SERB-CROAT-SLOVENE STATE.	TURKEY
M. Constantinesco.	M. Milanowitch.	Rechid Safvet Bey.

BULGARIA.	RUSSIA.
Mlle. Stanciof. M. Altinof.	M. Sabanine M. Pastouchof. M. Ahrens Mme. Zuretzkaia

Interpreter: M. Camerlynck.

LORD CURZON said that in the course of the proceedings of the day before the Russian delegation had handed in a scheme consisting of twenty-two articles and a declaration. Although this scheme had only been handed in at the last moment, after discussions lasting the best part of a fortnight, he had undertaken on behalf of the Allies to examine it very carefully and to give their reply at the present meeting.

The Russian scheme was an attempt to translate into practice the ideas set forth in M. Chicherin's first speech of a fortnight ago. It was based on a principle diametrically opposed to that on which the Allies had proceeded, namely, that the Straits should be closed at all times to ships of war. The scheme was summed up in the penultimate article (No. 21), which read as follows:

> "The contracting Powers are agreed to elaborate and sign within three months from the adoption of the present regulation an international Act recognising the Black Sea as a *mare clausum* of the riverain Powers, even in the event of changes being made in the regime of the Straits which modify the above stipulations."

A fortnight ago that principle had been rejected by Lord Curzon on behalf of the Allies and by the riverain Powers of the Black Sea. In fact, no delegates had spoken in favour of it. It was therefore impossible to accept it, to reconcile it with the Allied scheme, or to find in it a point of contact between the two; the Allied Powers had therefore no alternative but to reject it. The additional declaration appended to the Russian scheme did not in any respect modify this decision; it only contemplated reciprocal guarantees for the safety of the riverain Powers, and therefore confirmed the principle of a *mare clausum*.

During the latter part of the previous meeting the Turkish delegation had submitted two papers which had also been very carefully examined by the naval and military experts and discussed by the Allied delegates themselves; he was therefore in a position to give the final Allied reply upon them.

The first note regarding the demilitarised zone was entitled "proposed modifications," but on examination it was found that it contained much more than modifications of the Allied scheme, and that, if it were accepted, the Allied proposals would be almost completely destroyed. For instance, the Turkish delegation proposed to exclude the Sea of Marmora altogether from the application of the scheme, and to reserve for Turkey complete liberty of movement, action, fortification, defence and offence in that area. This was quite inadmissible. The Sea of Marmora was a physical continuation of the Straits, and must be provided for in the same scheme. This was the first attempt which had been made either during the present conference or in history to separate the two areas.

He begged leave to remind the Turks of a fact which they knew very well, namely, that they had discussed this matter over and over again with the naval and military experts during the last ten days. The Allies had reached the limit of concession in this respect. They had agreed to Turkey fortifying all the southern shore of the Marmora and to free movement of Turkish troops across it; they only insisted on freedom of passage in the coastal zone along the northern shore. From that position they could not recede.

The second Turkish proposal was to suppress the word "projecteurs" in article 2 of the Allied scheme after the words "permanentes d'artillerie." Lord Curzon was informed that this also had been discussed repeatedly by the experts, who could not consent to the proposed change; the matter could not therefore be reopened now.

The third Turkish proposal was for the suppression of certain words relating to the Greek Government and Greek interests. The Turkish delegation explained this proposal as resulting from the fact that the Turkish Government claimed an autonomous system in Lemnos and Samothrace and the exclusion of the Greek fleet from those waters. He had already stated three times, and now repeated for the fourth and last time, that the Allies had no intention of taking away from Greece the sovereignty over these two islands or of setting up an autonomous régime there. The Allies had been willing to apply the strictest form of demilitarisation in these islands for the security of Turkey; more than that they could not do. The further claim that the Turkish fleet was to be at liberty to go where it liked and to do what it liked in these waters, and that the Greek fleet was to be refused a similar permission, therefore, fell to the ground.

The next Turkish proposal was contained in two paragraphs reading as follows:

> "It is further specified that, while not maintaining any installations and permanent bases of military aviation, the Turkish Government shall have the right to have the surface and the bottom of the sea watched by means of aeroplanes and balloons. Turkish aircraft shall be able to fly at any time freely over the waters of the Straits and the demilitarised zones and to alight on land or sea anywhere in complete freedom.
>
> "The expression 'submarine engine of war' employed in the present draft does not refer to submarines."

These proposals seemed to the Allies reasonable and they had great pleasure in accepting them.

The next Turkish proposal was to suppress article 5 ("if in case of war Turkey, or Greece, availing herself of the rights of a belligerent Power, should in any way modify the state of demilitarisation described above, she will be bound to re-establish the *status quo ante bellum* as soon as peace is concluded"). Lord Curzon feared that it was impossible to eliminate this article, because a case might arise in which Turkey, having picked a quarrel or got involved in some petty war, might take advantage of the situation to modify the state of demilitarisation provided for in these clauses. Article 5 must therefore be maintained.

The final demand of the Turkish delegation was for permission to maintain 5,000 men in the Gallipoli Peninsula to defend the shores of the Ægean. This proposal had been discussed at great length with the experts, who were unable to give way on the matter. He therefore feared that the Allies must adhere to their decision.

In leaving this part of the subject, Lord Curzon would only say that he was sure the Turkish delegation would not interpret the Allies' refusal to entertain their various requests as indicating any failure to listen to the Turkish arguments or to appreciate the Turkish case. On the contrary, all these questions had repeatedly been discussed at length; Ismet Pasha had himself attended the meetings of the experts on at least two occasions and had exposed his views with his usual ability. But the Turks must

not forget that the Allies had agreed to concession after concession, as stated by him at the previous meeting and recorded in the final Allied draft. The moment had now come when the limit of concession was reached.

The other Turkish document did not even consist of alleged modifications, but was an entirely new scheme for the regulation of the navigation of the Straits. This proposal, which covered several pages of print, had been very carefully examined since the previous meeting by the experts, who were unable to recommend its acceptance. The reasons for which the experts gave that advice and led the Allied delegates to accept it were as follows: -

> The Turkish proposals are an attempt, whilst accepting the Allied proposals for admitting the entry of warships into the Black Sea, to modify them to such an extent as to make their modification quite unworkable and with one exception unacceptable.
>
> The Turkish proposals regarding merchant ships and commercial aircraft, are practically identical with those of the Allies.
>
> As regards the proposals for men-of-war and military aircraft, the Turkish proposals differ from those of the Allies in principle in the following respects:
>
> > In calculating the force which may enter the Black Sea the Turks lump the ships of all Powers together; this is a quite impracticable arrangement. Further, the force which may pass through at one time is limited by the force normally maintained by Turkey in the Marmora, and not content with this, they propose to introduce complicated rules as regards speed and armament in computing this force.
> >
> > The result would be that Turkey would virtually control the passage of ships both in peace and war and would, to all intents and purposes, whilst still neutral, be giving definite assistance to one side or the other.
>
> The absurdity of this proposal is shown by the fact that, if Turkey did not possess a capital ship, no outside Power could send such a ship into the Black Sea, even in wartime, though other Black Sea Powers possessed such ships.
>
> Turkey proposes, moreover, that the Straits Commission should be required to take into account the speed and armament of ships when computing the force which may pass into the Black Sea; though as to the relative value of these factors the naval staffs of the world have never yet been able to reach agreement.
>
> The limitations proposed by Turkey as regards the ships passing through the Marmora would be of purely academic value, unless Turkey proposes to concentrate her fleet in the Marmora and to prepare for action on each occasion when foreign war vessels pass through.
>
> Further, Turkey, failing to realise the advance in naval matters which has taken place, proposes to prohibit both submarines and ships carrying aircraft.
>
> At the present time a very large proportion of men-of-war carry one or more aircraft, and in the future it is conceivable that all men-of-war will be capable of submergence.
>
> Furthermore, Turkey, by prohibiting the entry of aircraft and submarines, would in reality be taking sides, since there is nothing to show that the Black Sea Powers would not be able to maintain and use such craft.
>
> Turkey also proposes that the zone of the Straits should extend 20 sea miles outside the entrance and round the islands in the Ægean. This would infringe on the freedom of the high seas to an extent which has never yet been claimed by any Power, and which could not be entertained for a moment.
>
> As regards military aircraft, the Turkish proposal would limit their passage in such a way as to prejudice the international character of the waterway. This is a requirement which the Turkish proposals generally have been inclined to overlook.
>
> There is one point, however, in the Allied scheme which may be considered open to fair criticism. In peace time the Allied proposals do not limit the period over and above that required for passage which men-of-war may spend in the zone of the Straits.
>
> We propose, therefore, to insert a clause limiting this period to twenty-four hours over and above that required for making the passage.

At the previous meeting Ismet Pasha had alluded to two other points on which he might expect a reply. The first was the proposed Straits Commission, among whose

duties was included that of seeing that the limitation of warships provided for in the treaty and the manner of demilitarisation should be observed. Ismet Pasha had objected to both these proposals, and had asked that the duties of the commission should be confined to small matters connected with the keeping open of the passage. Lord Curzon could argue this question at length, but the Allies attached such capital importance to these two points that they could not give way in the matter.

Ismet Pasha had also referred to the nature of the so-called "political guarantees" offered by the Allies. The Turkish Government, by deciding to apply for membership of the League of Nations, would automatically have the advantage of the general guarantee for their territories and frontiers provided in article 10 of the Covenant of the League; but the Allies, in their desire to meet the wish of Turkey for additional guarantees, had also made a further proposal on the lines of that already adopted by the League of Nations and the Powers concerned in the case of the Aland Islands. That was certainly an additional protection for Turkey.

When Lord Curzon considered what the Allies had conceded to Turkey as regards the demilitarised zones, the advantages secured to her as regards her army and navy in the future, and also the additional guarantees just mentioned, he truthfully believed that there would not be a Power in the world which would be so completely wrapped up in protecting guarantees and in means of defending itself as Turkey. If Turkey were not satisfied with the additional guarantee now offered her, which was intended entirely in her interest and for her defence, it would be withdrawn. He felt bound to say in the name of his colleagues and of himself—and they had all consulted their respective Governments several times on the matter—no stronger or further guarantee could possibly be given by them.

He would only add one or two words:—

> "What do we all want to do? We want to make peace, and in making that peace we all of us want to do that which is fair to all the parties concerned. I endeavoured to argue yesterday that the Allied proposals would be fair to Russia. I did not carry conviction to the mind of M. Chicherin. I now want in a few sentences to point out to the Turkish delegation in what way I consider that our proposals are fair to Turkey, and that in their own interest they would be ill-advised to reject them.
>
> "It cannot possibly be argued in any quarter that 'the freedom of the Straits' is being interpreted as a weapon directed against the capital of the Turkish State. On the contrary, we have done everything within our power to secure that capital, to maintain the sovereign rights of Turkey unimpaired, and to render it impossible that the passage of warships through the Straits may be used as a means of pressure upon the Government of Constantinople. In our proposals Turkey is left with all reasonable means of resisting invasion: she is allowed complete freedom for the circulation and transit of troops in all coastal regions; and, except in the restricted areas of the demilitarised zones, she retains her liberty to fortify her Asiatic coast land. The belligerent rights of Turkey when she is at war, the neutral rights of Turkey when she is not at war, are carefully safeguarded, and Turkey is left full discretion to make such regulations as she may consider necessary as to the number of men-of-war of any one Power which may visit Turkish ports and the length of time which they may stay there. At one time Turkey feared that by accepting the doctrine of the freedom of the Straits, she would expose herself to the menace of foreign warships anchored in the Golden Horn. This fear is shown to be groundless. Except with Turkey's permission, the only fleet which will anchor in Turkish territorial waters will be the Turkish fleet. The sovereignty of Turkey will remain unimpaired.
>
> "Nor is this all. The constitution of an International Commission of the Straits, working in association with the League of Nations and under a Turkish president, will be a guarantee to Turkey and to the riparian States of the Black Sea that the freedom of the Straits will be treated as the interest, not of this or that Power or group of Powers, but of the world as a whole.
>
> "Finally, in order to remove all possible apprehension that the régime which we propose to establish will be abused to the disadvantage of Turkey, we have added a specific guarantee under which the security of Turkish territory and the Turkish capital is abundantly assured. Not only will Turkey be left with her own means of defence for her Asiatic shores; not only will substantial Turkish forces be stationed at Constantinople; not only will Turkey, so soon as she enters the League of Nations, share in the general guarantee provided by article 10 of the

covenant; but under the additional guarantee which we propose to attach to the Straits Convention she will be given an absolute assurance regarding her future security and be able to devote her undivided attention to the economic reconstruction and progress of her own dominions."

ISMET PASHA said that he had taken note of the Allied reply in regard to the drafts concerning demilitarisation and freedom of passage in the Straits. He reserved the right to communicate his observations on that subject. As he had said on the previous day, he would now set forth the views of the Turkish delegation on the Allied proposals concerning the duties of the Straits Commission and certain political guarantees. He then read the following statement:—

The Turkish delegation has examined the draft articles respecting the Commission of the Straits with the greatest care. In principle they agree with the Allied Powers on many of the points contained in that draft. As regards the duties of the commission itself, the Turkish delegation regret that they are unable to agree to the provisions of article 5, which affect the internal public services of Turkey.

In our opinion there is no occasion to place the demilitarisation of the Straits under the supervision of the commission, since any actions which may take place in contravention of these undertakings must necessarily be performed in the Straits and under observation by air and by sea, and cannot therefore in any circumstances pass unnoticed.

The supervision of these measures by a commission set up in or near Constantinople would be incompatible with the sovereignty of Turkey.

As Greece is neither a Great Power nor a riverain State of the Black Sea, it is inadmissible that she should be represented on the Commission of the Straits.

The passage of commercial and war vessels through the Straits in peace and in war is regulated in the scheme regarding the freedom of the Straits.

An article of this scheme limits the number of warships allowed in the waters between the two Straits, and also in the Black Sea. The only function which could be exercised by the Straits Commission is to see to the observance of the limit placed on the numbers of warships of different nations.

The modifications which the Turkish delegation desire to introduce into the draft of the Allied Powers are indicated in the following statement:—

Draft Articles respecting the International Commission of the Straits.

1. An international commission, composed as stated in article 2, and entitled "Commission of the Straits," shall be set up at Constantinople.

2. The commission shall be composed of representatives of France, Great Britain, Italy, Japan, and also of Bulgaria, Roumania, the Serb-Croat-Slovene State, and of Russia, the Ukraine and Georgia, under the presidency of a representative of Turkey.

In the event of their adhering to this convention the United States also shall have the right to have a representative on the commission.

3. The Governments represented on the commission shall have the duty of providing their representatives with such salaries as they may properly claim.

4. The commission shall be required to ensure that the provisions regarding the limitation of war vessels are duly observed.

5. The Commission of the Straits shall carry out its functions under the auspices of the League of Nations, to which it will forward an annual report on its proceedings.

According to the draft articles regarding the guarantee for the security of the Straits, the high contracting parties and the Straits Commission are to address themselves without delay to the Council of the League of Nations whenever the freedom of navigation or the safety of the demilitarised zones is imperilled by some violation of the terms agreed upon, or by a war. The measures decided on by the council are to be binding on the contracting parties. If unanimity cannot be obtained, each of the contracting parties is to be authorised to take individually such measures as the council recommends by a two-thirds majority. The vote of the Power whose action has brought about the danger in question is not to count in reckoning either an unanimous vote or the above-mentioned majority.

The result of these provisions is that when an attack is made either on the freedom of transit or on the safety of the demilitarised zones formalities entailing a more or less prolonged delay will have to be accomplished before the contracting

Powers are required to take action. Even if we leave out of account the very serious consequences for Turkey herself, which such an attack might produce pending the decision of the council, there would always be a risk of that decision being rendered nugatory by one of the Powers represented on the council refusing its consent—in which case the contracting parties would be released from any obligation whatever. Indeed, under these circumstances, the Powers would have an entirely optional right to take individually such measures as might be decided on by a two-thirds majority; a majority, moreover, which might not come into existence at all.

It is therefore quite possible that some serious injury might be done to freedom of passage or to the security of the Straits without calling into play any action on the part of the contracting Powers. It is evident that Turkey, by consenting to the demilitarisation of certain definite zones around the Straits, is making an enormous sacrifice, which considerably weakens her defensive strength, for the sake of the general good. In return for the undoubted benefit thus obtained by all nations interested in the commerce of the Black Sea, she has every right to demand a sure guarantee. The assurance embodied in the terms of the draft submitted to the Turkish delegation is not altogether calculated to furnish an adequate guarantee, as the Allied Powers will doubtless recognise in view of all these considerations.

The Turkish delegation also feel bound to suggest for judicious consideration by the commission that the provisions of the guarantee should be operative under all circumstances, *i.e.*, in time of general peace and also during a war, whether Turkey is taking part in it or not. As a matter of fact the guarantee would lose all its value if it were proposed to make it inoperative in the event of a war in which Turkey had taken part, for it certainly does not depend on Turkey alone to decide whether she can avoid belligerency.

If the warships of any Power can commit hostile acts against Turkey while passing through the Straits and if Turkey is thus placed in a state of war without the Powers being able to intervene, the freedom of the Straits would only be ensured in such a manner as to make inadequate provision for the vital interests of Turkey.

If it is argued that Turkey will enjoy the guarantees already contained in the Covenant of the League of Nations as soon as she enters the League, there is no need to point out that this will effect little or no change in the unsatisfactory situation assigned to her. It is thought that article 10 of the League of Nations Covenant is a sufficient guarantee for countries which are generally free from all restriction as regards defence and consequently can employ all such means of defence as their safety requires. But this is not the case as regards the Straits, which lose a great part of their defensive strength by demilitarisation. It is evident that a supplementary guarantee must be given in respect of the Straits zone, when the situation there is different from that of other countries.

The inviolability of the Straits should also be respected in the event of action being taken against Turkey on the strength of a decision by the League of Nations. It is regard for general interests which necessitated the new régime of the Straits, and they should, therefore, remain inviolable even in the event just mentioned.

The Turkish delegation consider that the guarantee would be far more efficacious if the guaranteeing Powers undertook individually and collectively to secure that the inviolability of the regions in question should be respected. The Turkish delegation are well aware of the difficulties which the Allied Powers would encounter as regards the individual guarantee, but they feel obliged to make this request because they have been unable to discover any other solution of this problem. If the Allied Powers would kindly suggest an equitable solution which would eliminate the serious drawbacks of the collective guarantee by itself, the Turkish delegation would be glad to examine such a proposal with the best will; for their object is not to create difficulties, but to ensure that in the event of an attempt to violate the zone of the Straits, Turkey should not be placed in a position of uncertainty. The Turkish delegation, therefore, propose the following formula:—

> With a view to making sure that the demilitarisation of the Straits shall not become a cause of unjustifiable danger to Turkey from the military point of view, France, Great Britain, Italy, Japan and Russia agree to the following provisions:—
>
> The signatory Powers mentioned above undertake individually and collectively to respect and ensure respect for the inviolability of the Straits both in peace and in war.
>
> If any foreign Power commits an act of war within the region of the

Straits as defined in article , or in the Sea of Marmora, that act shall be regarded as an infraction of the inviolability laid down in the preceding paragraph.

In this event Turkey will take all possible measures with a view to preventing the acts in question; and upon a request from her the above-mentioned Powers shall be bound on their part to prevent those acts conjointly by all the means at their disposal.

If the above-mentioned Powers have for this purpose caused more ships to pass than are allowed by the regulations of the Straits, the normal application of those rules shall be resumed upon Turkey's request as soon as the acts in question have been stopped.

These provisions form an integral part of the provisions relative to the demilitarisation and freedom of the Straits.

After reading this statement Ismet Pasha expressed the hope that his proposals, which were based on imperative necessity, might be examined and given serious consideration. He expected that after this examination the views of the Allies would be modified in favour of Turkey.

M. CHICHERIN said that he noted with deep regret that the inviting Powers had given no heed to the attempts at conciliation and important concessions embodied in the Russian counter-proposal, in which his delegation had desisted from the strict application of their original point of view on several questions of primary importance.

They had proceeded in accordance with the two principal ideas put forward at the conference: (1) the idea of the United States delegate, who had brought out the beneficent part which warships could play in the attainment of peaceful purposes, and (2) the idea that it was desirable to obtain guarantees for the riverain States of the Black Sea. With a view to satisfying the desire that warships might be enabled to accomplish peaceful missions in the Black Sea, the Russian delegation had proposed that the Turkish Government should have the right to permit the passage of light war vessels in individual cases and for definite purposes, but on no account with a military object. There had been no pirates in the Black Sea since the vessels of Wrangel had left, and light vessels were sufficient for philanthropic, scientific and other purposes. An example had been set by the representatives of the American administration for famine relief, who came to Black Sea ports in American destroyers. That was a case in which a warship could accomplish a charitable mission with a purely pacific object. But the Russian delegation demanded that if this right was granted to the Turkish Government, the Turkish Parliament should take the decision in every case.

Another very important point in the Russian counter-proposal was that apart from the general regulations for transit through the Straits, it expressly forbade belligerent ships to enter the Black Sea. In this matter the Russian delegation were in agreement with the great currents of world-wide opinion, which were in favour of narrowing down and not enlarging the field of operations. The Russian statement respecting the convocation of a conference of riverain States of the Black Sea belonged to the same order of ideas, and M. Chicherin was greatly surprised that Lord Curzon had merely made a passing remark on this subject; he, for his part, regarded it as one of the most important factors in the interest of peace and of reduction of armaments.

The objection made by Lord Curzon was that in his opinion Russia ought not to conclude a separate agreement for the safety of her coasts with the other riverain States of the Black Sea, and that the great Powers should participate therein. The British Government had expressed the same idea in 1920, when it suggested that Russia's negotiations with Poland, Estonia, Latvia, Lithuania and Finland should not be conducted between those States only, but with the participation of the great Powers. Russia had then rejected that proposal, because she considered it easier to bring her interests into harmony with those of her neighbours if they were not mixed up with great world conflicts and international political interests. Russia believed that she was right, and that it was easier for her to come to an agreement with the States on her borders when world quarrels did not intervene in her relations with those States. M. Chicherin was sure that it would also be easier for Russia to reach agreement with the riverain States of the Black Sea if world politics were not involved. He recalled the fact that Russia, when negotiating with the States on her borders, had brought forward an idea embodied in several of these treaties—the idea of neutralising the Baltic on one express condition, namely, an absolute guarantee that this neutrality should not be violated by any third Power, and that the vital interests of Russia should be respected.

There was yet another great concession in the Russian counter-scheme. That was the proposal that an International Straits Commission should be created to look after the needs of commercial navigation, without of course infringing the sovereignty and independence of Turkey, and without entrusting to that commission duties which belonged to the territorial sovereign of the Straits. This commission was very different from that dealt with in the draft presented by the inviting Powers on the evening of the 17th December, on which the Russian delegation had not yet expressed its opinion.

M. Chicherin then read the following statement:

"The draft of the inviting Powers requires an international commission dependent on the League of Nations to supervise the limitation of warships in the Black Sea (*i.e.*, their transit through the Straits) and the demilitarisation of the coasts of the Straits. The Russo-Ukrainian-Georgian delegation observe that this is tantamount to depriving the Turkish people of control over transit and of effective sovereignty in the Straits, and transferring these powers to the representatives of the States who are to form this commission under the auspices of the League of Nations.

"The Russo-Ukrainian-Georgian delegation are opposed to this flagrant violation of the sovereignty and independence of Turkey, which is unacceptable from the point of view of the most elementary requirements of Russia and her allies in respect of safety. Real power in the Straits will belong to those who control the naval situation in the Straits and the military situation on the neighbouring coasts. If this power is handed over to foreign States, the struggle now proceeding in Turkey will be perpetuated, for in the long run the Turkish people will not endure foreign rule in the region which Ismet Pasha has described as the most sensitive portion of Turkey. This proposal also amounts to the creation of a stronghold in the Straits against Russia and her allies, for the possessor of the most powerful fleet will in fact rule there, and will hold in his hand the strategic key to Southern Russia. It should be noted that among the Powers to be represented on the Straits Commission according to the Allies' scheme, the great majority (France, Japan, Bulgaria, Greece, Roumania and Jugoslavia) have not yet established even *de facto* relations with Russia and her allies; and all of them without exception were still taking part in an anti-Russian coalition only a short time ago. At the same time, all limitations on war vessels and all measures designed to diminish the supremacy of the naval Powers in the Black Sea will be nothing but a pious wish if the control of transit through the Straits is in the hands of the naval Powers and not in those of a sovereign and independent Turkey.

"The Russo-Ukrainian-Georgian delegation also make special and formal protest against any attempt to require the Council of the League of Nations to guarantee the safety of the Straits. Russia, the Ukraine and Georgia have not recognised, and will not recognise, the League of Nations, because its constitution is absolutely inacceptable. Russia, the Ukraine, Georgia, the United States of America, Germany and other States besides are not members of it. The League of Nations is in reality only a coalition of certain Powers. It is, therefore, absolutely inadmissible to assign to it any functions whatever in the Straits.

"But there is more. The guarantee for security proposed in this draft is in fact illusory. Any violation of this security is to be brought to the notice of the Council of the League of Nations, and then there will be deliberations. If unanimity cannot be secured, each signatory Power will be able to take individually such measures as the council has recommended by a majority of two-thirds. But can anyone believe that the Power which has violated the security of the Straits will wait peacefully until the Council of the League of Nations has finished its deliberations? That clause would be a mere sham, and even if the Council of the League of Nations were prepared to act, we have before our eyes examples of its action. The League of Nations did not protect Lithuania, which remained powerless before General Zeligowski's surprise attack at Vilna. The impotence of the League of Nations has become proverbial.

"The individual action by the Powers of which mention has been made is an open door for military intervention. This scheme does not prepare peace but war. In fact, once the coasts of the Straits are demilitarised there is no guarantee for their safety. The only State which could give this guarantee is Turkey herself. If you deprive her of this power you are, in fact, leaving the Straits defenceless, and handing Turkey over to the strongest, bound hand and foot.

"With other functions and a different organisation, the establishment of an

International Straits Commission is not in itself inacceptable to Russia and her allies. On the contrary, the Russo-Ukrainian-Georgian delegation have suggested a commission of this kind in their counter-proposal. As regards its composition, they suggest introducing a representative of Germany, whose commercial interests in the Straits are considerable. The Russo-Ukrainian-Georgian delegation will raise no objection to the purely technical functions assigned to the commission.

"But in its fundamental features the draft submitted by the inviting Powers is a flagrant violation of the security of Russia and her allies, of the independence and sovereignty of Turkey, and of the interests of general peace."

M. Chicherin said that he was also deeply pained to notice that in all Lord Curzon's remarks respecting the Turkish counter-proposal and in all the objections raised by the Allied experts, one fundamental idea ruled: their whole object was to make all control of warships impossible. They did not even agree to the Turkish request for a garrison at Gallipoli. They therefore completely disarmed the Dardanelles. After that, the small concession made as regards the Asiatic coast of the Sea of Marmora was of no consequence. These feigned concessions were nugatory. As a matter of fact, access to Constantinople and the Black Sea lay open. Lord Curzon had found it impossible to combine all the Powers for purposes of limiting fleets, but surely it was an ordinary matter to fix the size of the contingents of the various Powers. All the statements of Lord Curzon's had a single object: to render the defence of the Straits and Constantinople impossible, and expose Russia to attacks by the great fleets.

Lord Curzon wished to represent Russia and her Allies as isolated. But they had one powerful ally: the taxpayer of all countries. He was the ally of the future; he would understand that the system which it was now proposed to apply—enlarging the spheres of naval action, increasing naval forces, creating threats against Russia—entailed an increase in expenditure and greater privations for the peoples. It was the taxpayer who made the great currents of public opinion, who was already demanding disarmament and economy, and who in future would ensure the triumph of the cause represented by Russia and her allies.

M. DUCA said that he had already indicated the point of view of the Roumanian Government on the problem of the Straits. The Roumanian delegation were convinced that when they demanded a régime of real freedom in the Straits they were defending not only the interests of their own country, but also those of the world in general. They regretted to note that the draft of the Turkish delegation did not in any way meet the desire to ensure that freedom. The Roumanian Government considered it essential that the freedom of the Straits should not be illusory, and that was why it entirely concurred in the draft of the inviting Powers and also in the clear and judicious remarks made by Lord Curzon.

M. Duca would, however, have certain observations to make on the details of these proposals and reserved the right to present them at a suitable moment. He hoped very seriously that the Turkish delegation would examine the question with the greatest care and would finally recognise that the proposals of the Allies were calculated to ensure respect for the principle of liberty without doing any injury to Turkish sovereignty, which Ismet Pasha was justly anxious to safeguard.

As regards the scheme presented by M. Chicherin there could be no question. The purpose of it was to put in practice the principle of closing the Straits, whereas the Powers considered freedom of passage necessary. As these positions were fundamentally divergent, the conference could only note the fact that it was impossible to hope for agreement with the Soviet delegation.

M. SPALAIKOVITCH expressed the view that when the proceedings at the present and the previous meeting became known, the impression produced on the public would be lamentable. The discussion on the problem of the Straits had continued for a fortnight; it had been believed that a settlement was within reach, and now the situation was completely changed. Public opinion would regard these shiftings to and fro as a dangerous waste of time. But this state of affairs might have the still graver effect of creating a conviction that the method followed by the conference was a positive danger for peace; such shuffling could not inspire confidence. For the last two or three days rumour had been current that agreement respecting the Straits was practically reached, but now apparently everything had to be begun over again. If certain delegations intended to make observations on the drafts submitted, they had had time to do so at an earlier stage. M. Spalaikovitch entirely agreed with the conclusions

reached by Lord Curzon, in the sincere desire that the work of the conference might be brought to a conclusion.

M. VENISELOS wished to state his views respecting the refusal of Ismet Pasha and M. Chicherin to consent to the admission of Greece to the Straits Commission. It was not as a Great Power but as a maritime Power that Greece considered herself entitled to claim a place on that commission. The merchant marine of Greece was very considerable and came second in the list of those passing through the Straits. One could convince oneself of this fact by consulting the statistics prior to 1912, which were the latest in respect of a normal period. The refusal of M. Chicherin was still more incomprehensible, since he urged that the duties of the commission should be confined to matters concerning commercial navigation.

M. CHICHERIN said that he had no objection to the admission of Greece to the commission.

M. STANCIOF entirely agreed with the Allied proposals, subject to the following technical remarks in regard to the International Straits Commission, which M. Morfof read out:

"1. It is admitted that freedom of navigation through a navigable channel can only exist if that freedom is not encumbered by dues in excess of the expenditure required for the maintenance of the necessary services.

"Thus, when the problem of freedom and navigation on international rivers and canals was brought forward in 1815 at the Congress of Vienna, the following principle was laid down: that dues for services rendered to navigation must not exceed the expenditure necessary for maintaining those services.

"In 1856, at the time of the Treaty of Paris, when the International Danube Commission was set up, stress was laid on the importance of this principle by granting these same rights within the same limits to that commission.

"The new draft respecting freedom of navigation through the Straits stipulates that companies concerned with lighthouses, pilotage, towing and other companies of the same kind shall continue to levy these dues which exceed the expenditure on the service, thus creating a hindrance to navigation contrary to the principles mentioned above. It is quite fair not to suppress the right which the companies have acquired of levying dues on shipping, even at a rate in excess of the expenditure to be met; but, in order to conform to the principles laid down, this acquired right should not continue after the expiration of the contracts concluded with the companies in question. When the contracts have expired, the Straits Commission must itself undertake those services, or else see that the dues levied for lighthouse, towing and pilotage services do not exceed the cost of maintenance. In this way the commission will justify its mission of ensuring the freedom of navigation through the Straits.

"2. Apart from the salaries of the various representatives, which are to be defrayed by the respective Governments, the International Straits Commission will have to defray other expenses which will be too high to be borne by those Governments in equal shares.

"The Bulgarian delegation make a request to the conference that these expenses may be met by dues levied on ships passing through the Straits, or else that these expenses be divided between the States on the system adopted by the League of Nations, which has in fact established a difference between great Powers and small States as regards distribution of expenditure."

LORD CURZON wished to say a few words before concluding the discussion. He had been very powerfully impressed by the remarks of M. Spalaikovitch, who had said that the world was looking at what the conference was doing and that there would be great disappointment if week after week went by with no conclusion being reached. That was a most just observation, and its justice was recognised by all for whom Lord Curzon was speaking. The Allies, in authorising him to speak as he had, had hoped that the present meeting would be the last on the subject of the Straits. He had already said, and now repeated once more, that the Allies had reached the limit of concession and that further discussion would be fruitless. He was therefore disposed to consider any further meeting unnecessary; but, on the other hand, he was most reluctant to deprive the Turkish delegates, whose hard work he readily recognised, of the opportunity to answer the various statements made by him at the present meeting or to submit any independent view. He was therefore disposed to have one more

meeting, but only one, and would consult the convenience of the Turkish delegation whether that meeting should be held the same afternoon or the following day.

ISMET PASHA repeated that the remarks made by him at the present meeting were of essential importance for Turkey. He wished to feel certain that these observations would be examined by the interested parties with care and in good faith. He suggested that the next meeting should take place two days later, so that he might be able to present all the necessary arguments with a view to solving the problem, and also to sum up the views of the Turkish delegation respecting the Straits.

LORD CURZON could not accept an adjournment for two days. Whenever the Turkish delegation had put forward a proposal he had always been prepared to reply on behalf of the Allies within twelve hours; surely the Turkish delegation, which had shown such extraordinary ability and resource, could do likewise. The end of the year was approaching and everyone was saying that they had the firm intention of concluding a treaty of peace, but their actions did not always correspond with their words. Every day which passed without a move towards peace was a day of danger, and a serious effort must be made to diminish the period of waiting. He trusted that the conference would support him in urging that the final meeting on the Straits question should take place on the following day—in the afternoon—if the Turkish delegation preferred.

ISMET PASHA maintained that he had never caused the slightest delay in the negotiations. As the Allies settled the agenda themselves, they always had ample time to prepare their case before the agenda was communicated to the Turkish delegation. It often happened that the Turkish delegation received the agenda a few hours before the meeting and were compelled either to answer hurriedly or to reserve their reply. That was why he had requested an adjournment for two days, but, in deference to Lord Curzon, he was prepared to agree to a meeting on the next day at 4 P.M.

(The commission rose at 2·10 P.M.)

No. 46.

The Marquess Curzon of Kedleston to Sir Eyre Crowe.—(Received January 10.)

(No. 188.)
(Telegraphic.) D. *Lausanne, January 9, 1923.*

I PRESIDED over meeting of my commission this afternoon to take report of Sub-Committee on Minorities. This committee has done very useful and conscientious work, and has arrived at friendly solution of many questions while meeting with immovable opposition on the part of Turks to those solutions which will principally affect sentiment of the world.

In category of agreed subjects may be included general provision for protection of minorities as in European treaties under guarantee of League of Nations, stipulations affecting family law and personal status of non-Mussulman minorities, and provisions for recovery of Islamised women and children.

Allies have further made two considerable concessions:

1. Restriction of demand for protection to non-Mussulman minorities; and

2. Abandonment of claim for representation of League of Nations at Constantinople—although in my speech I pointed out that this was a concession which, in their own interests, Turks would probably be willing to grant before long, after they have joined League of Nations.

Two questions had been referred back to my commission, viz., concession of a wide amnesty and exemption of minorities from military service. Allies had pressed strongly for both, and Turks had refused both. There were indications that if we yield on latter Turks will meet us on former; and I think this can be arranged

I once again pleaded cause of Armenian, Assyro-Chaldean and Bulgarian refugees. But Ismet Pasha once more refused categorically even to consider the idea of a national home either for Armenians or any other minority; and as we have no means of forcing Turks to accept and cannot introduce such a clause in treaty there remain no means of influence or pressure but world opinion, to which, in their present frame of mind, they attach not the smallest importance.

Nevertheless, I have fought, on this as on two previous occasions in this conference, a sincere and strenuous battle for all these unhappy peoples, who will at least gain this, by publicity attached to their case, that it will be more difficult for Turks in future, in view of their protestations of a moral equality to that of most civilised States, to repeat their crimes and cruelties of the past.

I cannot pretend that section in treaty that will deal with minorities will redound greatly to our credit. But it is probably most that could have been extracted from an enemy swollen with pride and in a position to dictate rather than to accept conditions.

No. 47.

Mr. Bentinck to Sir Eyre Crowe.—(Received January 10.)

(No. 14.)
(Telegraphic.) D. *Athens, January 10, 1923.*

MY telegram No. 12.

French Minister told Italian Chargé d'Affaires and me last night that he had received disquieting news from Constantinople regarding warlike preparations of Greeks on Maritza. They are reported to be preparing to cross river south of Karagatch.

We therefore decided to renew representations, and I have just given serious warning to private secretary to Minister for Foreign Affairs, who called to see me.

French Minister tells me that on 1st January Minister for Foreign Affairs and Colonel Plastiras told him that, if only Allies would allow Greeks to advance, they would be in Constantinople within six days.

Postponement of settlement at Lausanne is having depressing effect in Greece, where outside influence, especially that of His Majesty's Government, is no longer as powerful as it was last summer.

(Repeated to Lausanne and Constantinople.)

No. 48.

The Marquess Curzon of Kedleston to Sir Eyre Crowe. (Received January 10.)

(No. 192. Most Secret.)
(Telegraphic.) *Lausanne, January 10, 1923.*

THIS morning took place sitting of my commission to receive report of sub-committee on exchange of prisoners and populations, which had reached deadlock owing to refusal of Turks to agree to retention of Greek population of Constantinople except at price of abolition of Greek Patriarchate. I had sent Mr. Nicolson last night to see Riza Nur Bey, who had represented Turkish delegation in sub-committee, to inform him that this was a point on which I could not give way and to propose settlement by which Patriarchate should be allowed to remain at Constantinople in enjoyment of its spiritual and ecclesiastical functions, while surrendering civil and political rights and powers. I had simultaneously urged M. Venizelos to accept this solution if Turkish assent could be obtained. This morning, half an hour before sitting, Ismet Pasha came down to see me and after arguing whole case with familiar but good-tempered obstinacy until last second of last minute gave way after the clock had already struck, thus bearing out my description of his methods as given in a previous telegram. At meeting I concluded my speech by proposing "above" solution on behalf of Allies, and it was forthwith accepted by Ismet—I think this may legitimately be regarded as a not inconsiderable achievement in view of its effect upon opinion of the world.

Furthermore, impression is beginning to grow in my mind that Turks will be very reluctant to leave Lausanne without a general agreement, and that their efforts will be increasingly directed not to rupture, but to obtaining by relentless pressure applied to very last second maximum that anxieties or fears of Powers may be persuaded to concede.

Procedure which I now contemplate is as follows:

Work of commission and sub-committees should end this week if only I can hurry up French, who are incurably dilatory and addicted to subterraneous methods and secret conversations.

I have now reduced draft treaty, which is necessarily so detailed and diffuse as to be unintelligible to the ordinary mortal, to a number of headings explained by appended annexes which I have handed to M. Barrère. I want to present these to Ismet in a plenary session of conference next week, together with a letter enlarging upon concessions we have made, and to invite acceptance of Turks as our last word, simultaneously publishing text and letter to the world. I would give him time, if he demands it, to consider and reply without holding out any hope of modification of contents. This should bring matters to a head some time during week. Whether he will accept or refuse or refer to Angora I cannot predict. But even in case of refusal or reference, it may perhaps be desirable to adjourn rather than to break conference, since, if Angora be really set upon peace, a slight delay might bring them to reason.

[E 467/1/44] No. 49.

Déclaration de Sir Horace Rumbold à la Séance du 6 Janvier 1923 de la Sous-Commission des Minorités.—(Communicated by British Delegation, Lausanne No. 31); Received at Foreign Office, January 11.)

JE tiens à appuyer l'appel si éloquent que M. Montagna a adressé à la délégation turque en faveur de la création d'un foyer national arménien. Cette question intéresse vivement une grande partie de l'opinion anglo-saxonne, qui, pendant long temps, a espéré que l'un des résultats de la grande guerre serait de permettre l'établissement des populations de race arménienne dans quelques coins de l'Asie Mineure, ainsi qu'elle le désire. Dans son examen des causes qui ont contribué à rendre en Turquie la question des minorités irritante pendant si longtemps, Ismet Pacha a, me semble-t-il, déclaré que le mécontentement des minorités était surtout la conséquence des intrigues d'autres États et particulièrement de la Russie, qui, pour atteindre ses propres buts, a provoqué artificiellement les doléances arméniennes en particulier. A la question de savoir si la Russie actuelle poursuit une politique semblable, Ismet Pacha a répondu par la négative. Aussi, le Gouvernement turc est-il désormais assuré, ainsi qu'il le reconnaît lui-même, que la Russie ne cherchera pas à soulever les Arméniens contre leurs compatriotes turcs. Il n'est pas davantage à prévoir que d'autres États s'efforcent de soulever les Arméniens contre l'État turc.

La population actuelle de l'État turc a, je crois, été diversement estimée à un chiffre allant de 7,000,000 à 9,000,000 d'habitants, dont environ 1,000,000 vivent à Constantinople. Considérant la vaste étendue des territoires turcs en Asie Mineure, et laissant de côté la Thrace orientale, on peut affirmer que, malgré le caractère montagneux du pays, la densité de la population est très faible. A ce point de vue, il pourrait être possible au Gouvernement turc de trouver sans grandes difficultés une bande de territoire qui pourrait être assignée aux Arméniens à titre de foyer national. Il y a toute raison de croire que la satisfaction de cette aspiration légitime contenterait grandement les Arméniens habitant la Turquie qui, du reste, ne désireraient pas tous vivre dans les territoires ainsi assignés. Le simple fait d'avoir un foyer national espérant une influence apaisante sur les Arméniens dispersés à travers le territoire turc, et nous semble-t-il, pût collaborer loyalement avec leurs compatriotes. C'est l'évidence même que la satisfaction des citoyens contribue à la force d'un État. Diverses suggestions ont été présentées en ce qui concerne la zone particulière qui pourrait être assignée aux Arméniens pour former le foyer national. On se rappelle que, à la suite de l'accord conclue entre la France et le Gouvernement d'Angora, la frontière méridionale d'Asie Mineure, ou, en d'autres termes, la frontière septentrionale de la Syrie, a été reportée considérablement au sud de la frontière primitive, laissant ainsi une bande de territoire très large entre l'ancienne et la nouvelle frontière. On peut observer que l'attribution finale de cette bande, qui formait une partie du territoire à mandat de Syrie, n'a pas encore été fixée par un accord international général. On suggère que cette bande de territoire, allant de la mer à l'Euphrate, élargie dans la direction de Sis et d'Albistan, ayant une superficie d'environ 18,000 kilom. carrés, soit affectée aux Arméniens à titre de foyer national. Ce territoire aurait [illegible] et il permettrait, je crois, recevoir de 200,000 à 300,000 Arméniens et permettre ainsi à une grande partie des 700,000 Arméniens qui, récemment, ont quitté la Turquie sous l'empire des circonstances, de retourner en Asie Mineure. Les liens politiques entre ce foyer national et l'État turc seraient

semblables à ceux qui unissent l'un des dominions de l'Empire britannique à la Grande-Bretagne, c'est-à-dire que ce territoire aurait une autonomie modifiée avec un Gouverneur général turc. Le retour d'un si grand nombre de travailleurs actifs accroîtrait les ressources de l'État turc.

Au nom de la délégation britannique, j'adresse un sérieux appel à la délégation turque afin qu'elle prenne cette question en sérieuse considération. L'univers a beaucoup entendu parler des souffrances endurées par les Arméniens dans le passé et l'État turc ne pourrait pas donner une plus grande preuve de libéralisme et de progrès qu'en acceptant le principe d'un foyer national en faveur d'une classe importante de ses plus intelligents et de ses plus laborieux sujets.

Je voudrais ajouter quelques mots au sujet des Assyriens, tant nestoriens que catholiques. Ce courageux petit peuple, qui, avant la guerre, habitait des villes et des villages éparpillés entre Mardin, Diarbékir et la frontière turco-persanne, plus particulièrement dans les montagnes autour de Julamerk, et au delà de cette frontière en Perse, a souffert cruellement pendant la guerre et a été dispersé dans toutes les directions au prix de lourdes pertes. Plusieurs milliers se trouvent maintenant dans le Caucase et dans le sud de la Russie, où ils vivent de façon précaire sans d'autres ressources que celles qu'ils reçoivent de l'extérieur, spécialement du comité de secours du Proche-Orient. D'autres vivent, avec un effectif considérablement réduit, dans la région de Mardin; d'autres sont à Constantinople ou au loin, plus particulièrement dans les États-Unis; mais le gros des Assyriens, qui vivent en Turquie ou sur les confins de la Perse avant la guerre, se trouvent maintenant dans l'Irak sous le mandat britannique. Plus de 60,000 sont dans la région d'Erbil, dans les villages prospères, dont les plus grands sont Al Kosh et Tall Kaif, à l'est du Tigre, et dans les régions de Dohuk et Amadiyah. Le Gouvernement britannique a dépensé depuis l'armistice plus de 1,000,000*l.* pour nourrir et abriter cette malheureuse population, en attendant que des foyers fussent trouvés pour eux dans les montagnes où ils ont toujours été habitués à vivre. Il est probable que la plus grande partie de ce vaillant peuple restera maintenant dans l'Irak sous le mandat britannique et la protection de la Société des Nations, mais quelques-uns désireront, sans doute, retourner de l'Irak en Turquie, plus spécialement dans leurs foyers autour de Julamerk. D'autres, certainement, désireront rentrer de Perse et du Caucase en Turquie. Je fais appel, au nom de tous ces gens, à la délégation turque, dans l'espoir que le Gouvernement turc facilitera leur retour et leur fournira toutes les garanties nécessaires pour leur permettre de conserver leur langue et leurs propres écoles de maintenir leurs coutumes familiales et individuelles, de pratiquer leur religion et de vivre tranquillement comme des citoyens de la Turquie.

Je dois ajouter que le sort des Assyriens a provoqué un vif intérêt à l'étranger, spécialement dans mon propre pays, en France, en Italie et aux États-Unis, à cause de l'histoire et de la religion de cette population.

[E 468/1/44] No. 50.

Rapport adressé à Lord Curzon, Président de la première Commission, par M. Montagna, Président de la Sous-Commission pour l'Échange des Populations.—(Received in Foreign Office, January 11.)

M. le Président, *Lausanne, le 8 janvier 1923.*

A LA réunion plénière du 1er décembre 1922 de la première Commission, présidée par votre Excellence, après la lecture du rapport du Dr. Nansen et une brève discussion sur la situation des populations grecques en Anatolie, la commission décida la création d'un comité spécial ayant la tâche d'étudier toutes les questions relatives à l'échange des populations minorités grecques et turques), en vue de conclure un accord séparé entre les deux parties intéressées.

Ce comité a été tout de suite formé avec un délégué et des experts de chacune des Puissances invitantes, de la Turquie et de la Grèce. Lord me fit l'honneur de m'en confier la présidence.

Dès le lendemain, ce comité tint sa première réunion, qui fut presque entièrement consacrée à une exposition claire et complète, faite par le Dr. Nansen, des conclusions de ses enquêtes en Anatolie et en Grèce et de ses suggestions pour résoudre aussi vite que possible les différentes questions, comme il était réclamé par les circonstances graves et exceptionnelles de la situation.

Le comité passa tout de suite à traiter ces questions, qui ont été classées d'une manière synthétique sous les titres suivants :

(1.) Restitution des otages civils ;
(2.) Echange des prisonniers de guerre ;
(3.) Echange des populations (minorités grecques et turques).

Il est à noter que, dès le premier moment, il fut convenu que :

(*a.*) Le comité se bornerait tout d'abord à arriver à une entente de principe sur les différents points à l'étude ;
(*b.*) Après avoir établi cet accord de principe, l'on passerait à la fixation des modalités d'exécution (règles de détail) ;
(*c.*) Toutes les décisions auraient dû constituer un accord intégral et indivisible dans ses différentes parties, l'une dépendant de l'autre pour leur validité et exécution respectives.

Il m'est agréable de mentionner que, malgré quelques points de divergence entre les délégués turcs et grecs, il fut possible d'établir une entente parfaite sur les deux premières questions. Sans m'arrêter sur tous les détails des débats, je passe de suite à exposer brièvement en quoi a consisté cet accord :

1. *Restitution des Otages civils.*

Il s'agirait, d'après les affirmations de la délégation turque, d'environ 4,000 personnes, sujets turcs, musulmans, que les troupes helléniques auraient emmenées avec elles de l'Anatolie et qui se trouvent internés en Grèce. Suivant le conseil du Dr. Nansen et les insistances des délégués alliés, la délégation grecque a convenu que ces otages civils turcs seront avant tout libérés et livrés au Gouvernement turc à Smyrne. De son côté, la délégation turque, se rendant à la demande de la délégation hellénique, s'est engagée à rendre à la Grèce des prisonniers ou otages civils, sujets hellènes, qui se trouveraient retenus en Turquie à la suite des derniers événements politiques et militaires du conflit gréco-turc.

Ces restitutions d'otages devraient avoir lieu :

(*a.*) Dans un très court délai à fixer ;
(*b.*) Sur la base de listes nominatives que les deux délégations turque et grecque ont déjà présentées au comité ou qu'elles se réservent de présenter ;
(*c.*) Avec l'assistance de commissions de la Croix-Rouge internationale.

2. *Echange des Prisonniers de Guerre.*

Cette question aussi a été au commencement l'objet de quelques dissensions. La délégation turque exigeait, en se basant sur les résultats de la guerre d'Anatolie, que la Grèce rende tous les prisonniers turcs en sa possession, sans échange. La Turquie se réservait de prendre en considération la bonne conduite de la Grèce pour juger s'il y aurait lieu ou non de procéder à la restitution d'un certain nombre de prisonniers grecs.

Sur les insistances des délégués alliés, la délégation turque s'est désistée entièrement de cette exigence, et il a été d'un commun accord convenu que :

(*a.*) La Grèce rendrait, dans un très bref délai à fixer, tous les prisonniers de guerre turcs en sa possession, en les faisant transporter elle-même et à sa charge, en une seule fois, à Smyrne, pour être livrés aux autorités turques ;
(*b.*) Un nombre égal de prisonniers grecs serait rendu par la Turquie, qui aurait soin de les tenir prêts pour les faire embarquer sur les mêmes bateaux qui arriveraient à Smyrne avec les prisonniers turcs. Cette condition a été dictée et adoptée aussi pour des raisons très évidentes d'économie générale, mais surtout sous l'influence d'un esprit de conciliation des parties en cause ;
(*c.*) Le restant des prisonniers de guerre grecs—plus nombreux aux mains de la Turquie seraient rendus par celle-ci à la Grèce après la conclusion de la paix ;
(*d.*) Toutes ces opérations relatives à l'échange des prisonniers de guerre s'accompliraient avec l'assistance de commissions de la Croix-Rouge internationale.

Une entente a pu être établie en principe aussi sur le dernier point de notre programme, bien que cela ait requis de nombreux débats et des négociations très intenses et suivies.

3. *Echange des Populations (Minorités turques et grecques).*

Une question primordiale s'est posée : si cet échange devait être volontaire ou obligatoire. Elle fut débattue en premier lieu au sein de la première Commission. Bien qu'il répugnât à tout le monde, la solution forcée, pour des raisons d'ordre pratique et économique, le Dr. Nansen lui-même se montra nécessairement disposé à la recommander comme la seule utile et efficace en la circonstance. Dans la commission même toutes les délégations semblèrent se rallier, malgré elles, à cette nécessité.

Cependant, au cours des discussions dans le comité spécial, la question fut remise sur le tapis par une déclaration écrite de la délégation grecque proposant que l'échange fût volontaire. La délégation turque s'y opposa nettement, de sorte que l'on resta à la décision antérieurement arrêtée. En d'autres termes, sauf que l'on ne croie revenir sur la matière, l'échange des populations reste obligatoire.

Il est, cependant, à remarquer que, dans le cas où l'on arrivait à l'adoption du principe volontaire de l'échange, l'accord intervenu sur ce chapitre n'aurait plus raison d'être et il faudrait en élaborer un autre.

Je passe à exposer, d'une manière synthétique, en quoi consiste le règlement atteint, en ajoutant tout de suite qu'il n'a pas pu devenir parfait à cause d'une divergence irréductible qui a surgi sur une des conditions posées par la délégation turque.

La délégation turque exigeait que l'échange des populations comprit toutes les minorités musulmanes en Grèce, exceptés celles établies en Thrace occidentale, et toutes les minorités grecques établies en Turquie, y compris les Grecs de Constantinople.

La délégation hellénique exigeait, à son tour, que l'exception demandée par la délégation turque en faveur des musulmans de la Thrace occidentale fût étendue aux Grecs de Constantinople.

Des débats obstinés se déroulèrent des deux côtés au cours de plusieurs séances du comité.

La délégation turque affirmait, en se basant sur des statistiques, qu'il était impossible de conserver à Constantinople une population grecque, car il y avait à installer à sa place une partie de la population musulmane venant de Grèce.

La délégation grecque soutenait, de son côté, à l'aide aussi de statistiques opposées, que la Grèce, déjà envahie par presque plus d'un million de réfugiés d'Anatolie, n'était pas à même de recevoir aussi les Grecs de Constantinople.

En nous basant sur les statistiques de la délégation turque, nous avons pu démontrer d'une manière mathématique qu'il n'était pas nécessaire pour la Turquie de faire éloigner les Grecs de Constantinople pour installer les musulmans de Grèce sur son territoire. Je parvins à persuader la délégation turque qu'il y avait largement de l'espace en Thrace orientale et en Anatolie, malgré les dévastations de la guerre, pour accueillir tous les musulmans qui restent en Grèce, exceptés ceux de la Thrace occidentale.

Enfin, la délégation turque finit par se rendre aussi à toutes les raisons d'ordre moral, économique et social qui recommandaient l'adoption de notre thèse. Elle accepta, en principe, que les Grecs restassent à Constantinople, mais en un nombre restreint. La délégation turque fixa, en effet, les exceptions et conditions suivantes :

(*a.*) Eloignement de Constantinople de tous les Grecs qui ne sont pas sujets turcs ;
(*b.*) Eloignement de Constantinople de tous les Grecs sujets turcs non originaires de Constantinople ;
(*c.*) Eloignement de Constantinople de toutes les sociétés ou associations grecques ayant pris une attitude hostile à la Turquie pendant les trois dernières années ;
(*d.*) De l'exception faite en faveur des Grecs de Constantinople bénéficieraient seulement les habitants grecs de Pera, Stamboul et Scutari ;
(*e.*) L'éloignement de Constantinople du Patriarcat œcuménique avec tous les organes et corps constitutifs.

La délégation turque se laissa persuader à renoncer à quelques-unes de ces clauses et à en modifier d'autres, mais elle resta irréductible à l'égard de la dernière : éloignement du Patriarcat œcuménique.

La délégation grecque, de son côté, sur la base de raisons que je vais esquisser plus bas, s'est énergiquement opposée à l'adoption de cette dernière condition ; d'autre part, elle adhéra à la condition prévue à l'alinéa (*c*), concernant l'éloignement de Constantinople de certaines sociétés et associations.

En résumé, l'accord sur l'échange, proprement dit, des populations turques et

grecques a été, en fait, atteint sur les points suivants, qui couvrent pratiquement toute la matière :

(1.) Il y aura échange de populations obligatoire entre la Turquie et la Grèce, excepté les musulmans de la Thrace occidentale et les Grecs de Constantinople ;

(2.) Le premier contingent d'échange sera constitué par le renvoi de l'Anatolie en Grèce des hommes internés lors de l'exode des Grecs d'Asie Mineure qui ont été séparés de leurs familles. Ce renvoi devra avoir lieu à une date très rapprochée à être fixée ;

(3.) L'échange des populations grecques et musulmanes, pour des raisons humanitaires et sanitaires, ne s'effectuerait qu'au mois de mai 1923 ;

(4.) Des commissions spéciales de la Croix-Rouge internationale veilleraient à l'exécution des deux cotes des opérations d'échange ;

(5.) Des commissions spéciales, d'après un règlement à établir, auraient la tâche d'évaluer les biens laissés de part et d'autre, pour procéder à la compensation. Si la valeur des biens situés dans l'un des deux pays est supérieure à celle de l'autre, la différence en plus serait versée par l'État intéressé auxdites commissions mixtes. Ces commissions seraient également chargées de la répartition des biens et de toutes sommes qui leur auraient été versées parmi les ayants droit ;

(6.) Tous les Grecs, sans distinction, sujets turcs ou hellènes, habitant Constantinople, seraient autorisés à y rester, à l'exception de ceux qui y auraient immigré après le 30 octobre 1918 ;

(7.) Les limites de Constantinople, aux effets du paragraphe précédent, resteraient fixées à celles de la préfecture de la ville d'après la dernière loi.

Je dois reconnaître que, dès le début de ces négociations, la délégation turque a fait preuve de bonne volonté et d'un esprit de conciliation en donnant son adhésion à toutes ces conditions. J'ose même croire que, si l'accord en question pouvait se perfectionner par l'élimination du seul point en litige, la délégation turque ne ferait pas d'objection à étendre la portée de quelques-unes des clauses ci-dessus énoncées ; elle consentirait peut-être :

(*a.*) A élargir les limites de la zone de Constantinople où le séjour des Grecs serait admis à d'autres localités de la banlieue qui ne sont pas comprises dans la juridiction préfectorale (p. ex. Pendito) ;

(*b.*) A laisser aussi les immigrés grecs, arrivés après le 30 octobre 1918, rester à Constantinople ;

(*c.*) Que les habitants grecs de Constantinople, qui, sous la pression des derniers événements politiques, ont quitté et continuent à quitter la ville, soient autorisés à rentrer dans leurs foyers.

De cette manière, l'accord serait tout à fait satisfaisant et il ne nous resterait qu'à passer à la fixation des modalités pour son exécution.

Comme il a été dit plus haut, la seule condition à laquelle la délégation turque n'a pas cru pouvoir renoncer pour accepter la conclusion de l'accord, surtout en ce qui concerne l'exception des Grecs de Constantinople de l'échange forcé des populations, est celle de l'éloignement du Patriarcat œcuménique.

Cette question a formé l'objet de très longues discussions.

La délégation britannique s'opposa, dès le début, à une telle mesure, car elle soutenait que cette institution séculaire ottomane représentait les symboles de la religion orthodoxe et que l'éloignement de Constantinople du Patriarcat œcuménique aurait porté offense non seulement aux sentiments religieux des orthodoxes, mais du monde chrétien, et serait de nature à produire en Angleterre et ailleurs une très pénible impression.

La délégation française soutenait les mêmes points de vue, en ajoutant que, le Patriarche étant un même temps Archevêque de Constantinople, il n'était pas possible de laisser la communauté orthodoxe sans son chef spirituel.

La délégation turque, par contre, demandait non seulement l'éloignement du Patriarcat, mais aussi celui du Saint-Synode, du Conseil laïque et du Conseil mixte, car le Gouvernement turque entendait constituer une église orthodoxe autocéphale turque, semblable à celle existant en Roumanie, Yong slavie, Albanie et Grèce.

La délégation hellénique appuyait le point de vue britannique, en elle jugeait impossible la constitution en Turquie d'une église autocéphale, vu qu'elle existait déjà et avait comme chef le Patriarche œcuménique.

A la séance du 16 décembre dernier, la délégation turque présenta à la sous-commission une déclaration écrite, par laquelle elle soutenait que le Gouvernement de la

grande Assemblée nationale entendait accorder aux minorités résidant en Turquie des droits identiques à ceux qui leur avaient été conférés dans les États agrandis ou nouvellement constitués à la suite de la grande guerre ; que ledit Gouvernement, en raison de la séparation du Califat de l'État et de l'établissement d'un régime démocratique, avait supprimé les privilèges accordés dans l'Empire ottoman aux communautés non musulmanes. Les relations entre les institutions de bienfaisance, scolaires, philanthropiques des minorités et l'État devaient avoir lieu directement ; le clergé et son chef hiérarchique ne devraient s'occuper, à l'avenir, que des matières purement spirituelles. Le Patriarcat, qui avait toujours été un organe politique, devait être transféré en dehors des frontières de la Turquie, vu qu'à la suite de la suppression des privilèges politiques dont il jouissait et des institutions organiques qui en dépendaient, il avait perdu toute raison d'être.

Après lecture de la déclaration susindiquée, la délégation des États-Unis d'Amérique a exprimé, au nom de son Gouvernement, les désirs manifestés par une grande partie de l'opinion publique américaine en faveur du maintien à Constantinople du Patriarcat œcuménique.

La délégation hellénique a déclaré qu'elle ne saurait être partie dans un accord ayant pour objet d'éloigner de Constantinople le Patriarcat œcuménique, car la signature de cet accord par la Grèce n'aurait aucune valeur, vu qu'il s'agissait d'une institution turque et non pas grecque.

Malgré mon intervention dans la discussion et les conseils de modération que j'ai donnés aux délégations turque et hellénique, un accord n'a pu être atteint sur cette question.

La délégation française alors, dans le but de trouver une formule de conciliation, a suggéré d'envisager le maintien à Constantinople d'un Patriarche n'ayant avec l'église autocéphale de Constantinople pas plus de rapports administratifs et politiques qu'avec les églises orthodoxes de Grèce, de Roumanie, de Yougoslavie, &c. Le Patriarche serait confiné dans ses attributions de primat religieux de l'orthodoxie. Il pourrait être choisi sur une liste de candidats agréés par le Gouvernement turc, à qui serait reconnue, d'autre part, la faculté de s'assurer qu'il ne sort pas de ses attributions religieuses.

A la séance du 26 décembre dernier, la délégation hellénique a présenté à la sous-commission une déclaration écrite où elle réfutait les allégations de la délégation turque à la séance précédente.

La délégation hellénique soutenait que le changement de régime survenu en Turquie n'était pas de nature à porter atteinte aux droits reconnus *ab antiquo* aux minorités chrétiennes en Turquie, ni à justifier l'éloignement du Patriarcat œcuménique de Constantinople.

La reconnaissance des droits concédés aux Grecs tirait uniquement son origine de la différence de religion existant entre les conquérants et la nation conquise. Le droit de famille étant régi exclusivement dans l'État turc par le Chériat, c'est-à-dire le droit religieux, il était impossible d'appliquer la loi islamique aux chrétiens ; pour ces motifs, les Sultans avaient reconnu aux chrétiens le droit de conserver l'usage de leur antique loi canonique, qui pouvait leur être appliquée seulement par l'autorité spirituelle légitime, c'est-à-dire par le Patriarcat œcuménique.

Les droits des chrétiens en Turquie étant d'ordre essentiellement religieux ou se rattachant directement à la religion, ils appartenaient *jure canonico et facto* au Patriarcat œcuménique, qui avait seul qualité pour les appliquer.

Le Patriarcat, dont le siège historique est Constantinople, a été établi par les décrets des IIe et IVe Conciles œcuméniques, qui forment la base du droit canon de toutes les églises, était inamovible, un nouveau concile pouvant seul se prononcer sur le maintien ou l'éloignement du Patriarcat.

Les décisions d'un congrès politique en pareille matière n'auraient eu aucun effet juridique. Pour les considérations exposées, la délégation hellénique se voyait dans la nécessité absolue de se refuser à participer à une délibération concernant l'éloignement de Constantinople du Patriarcat œcuménique.

La délégation française, toujours dans un esprit de conciliation, a alors conseillé aux délégations turque et grecque d'étudier un accord ayant pour base le maintien à Constantinople du Patriarcat œcuménique, qui a le primat sur toutes les églises orthodoxes, avec suppression des pouvoirs temporels. Le Gouvernement turc pourrait contrôler la nomination du Patriarche et limiter son activité. La délégation française a ajouté que la Turquie, en sa qualité d'État démocratique, devrait exercer la tolérance religieuse.

De mon côté, j'ai vivement insisté auprès des deux délégations afin qu'elles veuillent

bien étudier les bases d'un accord sur ce point, car, toutes les questions soumises à l'étude de la sous-commission étant étroitement liées les unes aux autres, le défaut d'accord sur une seule aurait eu pour résultat de faire échouer les travaux de la sous-commission et prolonger les souffrances des otages, des prisonniers de guerre et des populations.

A la séance du 3 courant, la délégation britannique a donné lecture de la déclaration suivante :

"Ayant mis au courant Lord Curzon de ce qui s'est passé dans notre dernière réunion, j'ai reçu les instructions expresses de sa Seigneurie de déclarer, encore une fois, qu'il ne saurait se rallier à aucune proposition visant l'éloignement du Patriarche œcuménique de Constantinople. Lord Curzon pense que, quel que puisse être le règlement de la question des droits civils et politiques de la communauté grecque en Turquie—question qui a fait l'objet des débats d'une autre sous-commission—il serait injuste de porter atteinte aux droits et à la juridiction purement spirituelle qui appartiennent au Patriarche œcuménique, comme primat des églises orthodoxes et comme chef de l'église orthodoxe de Turquie. La délégation hellénique, à son tour, a présenté à la sous-commission une déclaration écrite, par laquelle elle rendait hommage à l'esprit de conciliation qui inspirait la suggestion faite par la délégation française à la séance précédente—suggestion qu'elle avait sérieusement étudiée. Animée d'un désir de conciliation, elle faisait les propositions suivantes. L'institution du Patriarcat œcuménique est constituée des éléments suivants :

"(*a.*) Le Patriarche œcuménique est le primat de toutes les églises orthodoxes chrétiennes ; en cette qualité, il traite avec les chefs des églises autocéphales orthodoxes de toutes questions relatives à la foi, à la morale chrétienne et au droit ecclésiastique. En ces matières, l'avis et l'autorité du Patriarche œcuménique sont prépondérantes.

"(*b.*) Le Patriarche œcuménique est le chef de tous les métropolitains, archevêques et évêques appartenant au ressort de la grande église dont le siège est la ville de Constantinople et qui est la première de toutes les églises orthodoxes autocéphales. Le Patriarche, entouré du Saint-Synode permanent, gouverne l'église du trône œcuménique, nomme, sacre, juge et révoque les archevêques et évêques du ressort de son église et les abbés des couvents et monastères patriarcaux ; il résout également toutes questions d'ordre ecclésiastique qui dépassent la compétence des archevêques résidant dans les diocèses dépendant du trône œcuménique.

"(*c.*) Le Patriarche œcuménique est l'Archevêque de Constantinople et exerce ses droits et devoirs pastoraux sur toute l'étendue de son diocèse, à l'instar de tout autre archevêque ou évêque.

"Ces trois éléments sont intangibles et réunis en la seule personne du Patriarche et dérivent des Saints Conciles œcuméniques.

"La création d'un évêché orthodoxe autocéphale à Constantinople est impossible, car la co-existence de deux évêques orthodoxes exerçant pleine juridiction dans les mêmes diocèses est contraire au droit canon. A côté des éléments constitutifs de l'institution du Patriarcat, le Patriarcat exerce aussi les droits qui ne sont pas d'ordre essentiellement canoniques. Tels sont la création, l'administration et l'entretien d'écoles, d'hôpitaux, d'orphelinats, d'asiles de toutes sortes, l'administration de biens-fonds ecclésiastiques, l'entretien de rapports officiels avec le Gouvernement turc, l'exercice de la justice ecclésiastique, &c. Pour adhérer à la suggestion de la délégation française, l'exercice des droits susindiqués pourrait être dévolu à un grand vicariat créé *ad hoc*, dont le chef serait un prélat de haut rang, nommé par le Patriarche.

"Les droits et devoirs religieux définis aux lettres (*a*), (*b*) et (*c*) seraient réservés au Patriarche. Toutes les autres affaires, par contre, seraient réglées par le grand vicariat, assisté de l'élément laïque. Le Gouvernement turc pourrait exercer un contrôle sur la nomination du grand vicaire."

Après la lecture de cette déclaration, la délégation turque a fait relever que la déclaration précitée constituait, à son avis, un rejet pur et simple de la suggestion française et qu'elle se refusait à la prendre en considération.

A la séance du 4 courant, la délégation turque a demandé, d'une façon formelle, l'éloignement de Constantinople du Patriarcat, parce que cette institution a toujours fait de la politique en Turquie et continuera à en faire. Elle a fait relever l'attitude fort inamicale du Patriarcat envers l'État au cours de la dernière guerre, qui a exprimé

la conviction que son séjour à Constantinople donnerait lieu à de nouveaux conflits. Le Patriarcat pourrait transporter son siège au Mont-Athos et de là exercer son influence spirituelle sur le monde orthodoxe.

La délégation hellénique a soutenu qu'il était indispensable que le Patriarche reste à Constantinople ; même s'il était contraint à quitter cette ville, il garderait toujours son titre de Patriarche et d'Archevêque de Constantinople. Le Patriarche a été, jusqu'à la proclamation de la Constitution, le chef de la nation grecque ; ses pouvoirs sont consacrés par les bérats qui lui sont délivrés par le Gouvernement turc ; il doit être de nationalité turque et a le grade de Vézir dans la hiérarchie des fonctionnaires de l'État.

La délégation turque a maintenu son point de vue et déclaré que le Gouvernement turc, qui avait supprimé les pouvoirs temporels du Calife, était fermement décidé à éloigner de Constantinople le Patriarcat œcuménique. Elle a ajouté que, si la population grecque de Constantinople voulait rester dans cette ville, le Patriarcat devait transférer son siège ailleurs ; dans le cas contraire, la population grecque aurait dû aussi partir. La délégation turque a ajouté également que, si la question du Patriarcat n'était pas résolue, elle retirerait son adhésion du principe aux solutions proposées pour toutes les autres questions soumises à l'examen de la sous-commission. Vu l'impossibilité d'arriver à un accord sur ce point, j'ai cru de mon devoir d'en référer à la commission plénière, afin qu'avec sa grande autorité elle parvienne à résoudre le conflit dont j'ai eu l'honneur d'exposer les termes.

Qu'il me soit donc permis d'attirer toute l'attention de la commission sur le fait regrettable des conséquences pénibles qu'à cette heure a déjà eues et qu'encore plus aura à l'avenir pour le sort de centaines de milliers de personnes, l'impossibilité de passer à l'exécution des clauses arrêtées par le comité chargé de résoudre le problème de l'échange des populations sous ses différents aspects.

Conscient des responsabilités morales qui nous incombent, je forme les vœux les plus chaleureux que l'on puisse trouver, sans autre délai, une issue qui permette d'éliminer l'obstacle qui empêche de mettre fin à tant de malheur, de souffrance et d'incertitude dans l'existence de populations entières.

Veuillez, &c.
MONTAGNA.

No. 51.

Mr Bentinck to Sir Eyre Crowe.—(*Received January* 11.)

(No. 15.)
(Telegraphic.) D. *Athens, January* 11, 1923.

MY telegram No. 14.

Minister for Foreign Affairs told French Minister yesterday that as Turks had mined bridges Greeks were preparing boats with which to cross Maritza, if necessary. Minister for Foreign Affairs showed French Minister telegram from General Pangalos, despatched after conversation with a British colonel at Kuleli Bourgas, and asking leave to attack the moment he heard of the break-up of Lausanne Conference. Greek Government refused permission. Minister for Foreign Affairs, however, told French Minister that Turks might render situation so impossible for the Greeks that latter would be obliged to attack, in which case he would give French Minister previous warning.

French Minister and I feel that Greeks are always inclined to place another interpretation on words, and that it is necessary to make clear to them that warning is really meant by our Governments.

(Repeated to Lausanne, No. 9; Constantinople, No. 11.)

No. 52.

Mr. Henderson to Sir Eyre Crowe.—(*Received January* 11.)

(No. 17.)
(Telegraphic.) D. *Constantinople, January* 11, 1923.

FOLLOWING is identic telegram :—

Turkish authorities have begun to apply abandoned property law to Greek subjects who have left Constantinople. Spanish Minister has asked for intervention of Allied High Commissioners.

"In view of fact that Allies, during war, confiscated and sold enemy property, it is difficult for Allied High Commissioners to make formal protest in spite of police protection afforded to Greek subjects. We therefore propose to limit our action to pointing out jointly to Adnan Bey that this question is one of those actually before conference, decision of which should be awaited."

(Sent to Lausanne, No. 26.)

No. 53.

Sir Eyre Crowe to the Marquess Curzon of Kedleston (Lausanne).

(No. 129.)
(Telegraphic.) *Foreign Office, January 11, 1923.*

YOUR telegrams Nos. 173 and 190 of 4th and 10th January: Liability of detached territories in regard to Turkish pre-war debt.

Treasury and Colonial Office regard proposed concession as entirely unjustifiable in principle. Allied view that detached territories should take share of pre-war debt only is based, not on the manifestly untrue assumption that territories were detached in 1914, but on the consideration that result of war was to free those territories from Turkish yoke, and that it is unjust that they should share war expenses of Turkey, who, if victorious, would have kept them subject to this yoke against their will.

Treasury wrote to Block on the 6th instant to ask him if a maximum figure of liability could be ascertained, and proposed to give their final views on receipt of his reply, which has not yet arrived. They were anxious not to reject a concession, however unjustifiable in itself, if liability involved was inconsiderable and grant of concession likely to facilitate peace.

For reply to last paragraph of your telegram No. 173 please see Treasury letter to Block. Copy follows by bag in case it has miscarried. Briefly, Treasury and Colonial Office have no knowledge of magnitude of claims which might be made under proposed concession.

[E 509/1/44]

No. 54.

Lausanne Conference on Near Eastern Affairs.

(Strictly Confidential.)

TERRITORIAL AND MILITARY COMMISSION

Draft Minutes of the Eighteenth Meeting, December 20, 1922, at 4 P.M., under the presidency of Lord Curzon.—(Received in Foreign Office, January 12, 1923.)

(Seventh Meeting of the Straits Commission.)

Present:

BRITISH EMPIRE.
The Marquess Curzon of Kedleston.
Sir H. Rumbold.

FRANCE.
M. Barrère.
M. Bompard.

ITALY.
Marquis Garroni.
M. Montagna
M. Lago.

UNITED STATES OF AMERICA.
Mr. Child.
Admiral Bristol.
Mr. Grew.

JAPAN.
Baron Hayashi.
Mr. Otchiai.

GREECE.
M. Veniselos.
M. Caclamanos.

ROUMANIA
M. Duca.
M. Diamandy.

SERB-CROAT-SLOVENE STATE.
M. Spalaikovitch.
M. Rakitch.

TURKEY.
Ismet Pasha.
Riza Nour Bey.
Hassan Bey.

BULGARIA.
M. Théodorof.
M. Stanciof.

RUSSIA.
M. Chicherin.
M. Rakovski.
M. Vorovski.

Also present:

BRITISH EMPIRE.
Sir W. Tyrrell.
Mr. Malkin.
Mr. Ryan.
Captain Pound, R.N.
Lieut.-Colonel Heywood.
Mr. Nicolson.
Mr. Forbes Adam.
Mr. Leeper.
Mr. McClure.
Major McLeod.
Mr. Flint.

FRANCE.
Admiral Lacaze.
General Weygand.
M. Laroche.
M. Fromageot.
M. de Lacroix.
M. Laporte.
M. Fargeton.
M. de Percin.
M. Barois.

ITALY.
Admiral Chelotti.
Colonel Vitale.
M. Arlotta.
M. Guariglia.
M. Cianarr

UNITED STATES OF AMERICA.
Mr. Amory

JAPAN.
Mr. Nagaoka.
Mr. Sato.
Colonel Saigo.
Captain Tsuru.
Mr. Tani.

GREECE.
General Mazarakis.
M. Dendramis.
M. Politis.

ROUMANIA.
M. Contzesco.

SERB-CROAT-SLOVENE STATE.
M. Djouritch.
M. Antitch.

TURKEY.
Munir Bey.
Moukhtar Bey.
Lieut.-Colonel Tevfik Bey.

BULGARIA.
M. Morfof.

RUSSIA.
M. Berens.
M. Chapochnikof.

Secretariat-General.

M. Massigli, *Secretary-General of the Conference.*

BRITISH EMPIRE.
Mr. Spring-Rice.
Mr. Wicks.

FRANCE.
M. Lagarde.

ITALY.
M. Indelli.

UNITED STATES OF AMERICA.
Mr. Belin.

JAPAN.
Mr. Hotta.

GREECE.
M. Collas.

ROUMANIA.
M. Constantinesco.

SERB-CROAT-SLOVENE STATE.
M. Milanovitch.

TURKEY.
Rechid Safvet Bey.

BULGARIA.
Mlle. Stanciof.
M. Altinof.

RUSSIA.
M. Sabanine.
M. Pastoukhof.
M. Ahrens.
Mme. Zaretzkaia.

Interpreter: M. Camerlynck.

LORD CURZON invited the Turkish delegation to speak.

ISMET PASHA made the following speech:—

"Since the beginning of the debate on the question of the Straits, the public opinion of the world has been acquainted with our legitimate claims. We are only

requesting that the principles on which we have taken our stand for years should be applied. These principles have the approval of the whole world; they are, that the Straits should be kept open for the commerce of the world and for international traffic on condition that the inviolability of our capital and of the Sea of Marmora, which is situated in the very heart of our country, should be ensured.

"There was no need to require that the Straits should not be fortified in order to keep them open to commercial vessels and international traffic. The application and observance of the regulations framed for this purpose by representatives of the nations concerned would have been quite sufficient to ensure the passage of commercial vessels night and day, in peace and in war. It would also have been possible to ensure by treaty the passage of warships from one sea to another, which has been declared necessary for commercial and humanitarian purposes, while preserving the fortifications of the Straits.

"The essential problem for Turkey, namely, the inviolability of her capital and of the Sea of Marmora, would thus have been solved without leaving room for any uncertainty. Impartial public opinion unanimously recognises that during former wars the closing of the Straits in either direction was based on treaties then in force.

"Nevertheless Turkey, relying on the possibility of securing by other means that safety and inviolability which she has a right to expect, has made the sacrifice of agreeing not to fortify the Straits. I can conscientiously state that no other people has agreed to make a sacrifice comparable with this one for the sake of world peace.

"Nothing but a sincere desire for peace and conciliation could induce a country to leave its capital exposed to all kinds of dangers by land and sea when it had previously been secure and easy to defend.

"The suppression of the coastal fortifications of the Straits would have sufficed to prove that Turkey renounced all idea of fortifying them, but she has done more; with the sole object of satisfying the Allies, she has agreed to apply a series of measures proposed to her which are not really necessary for ensuring the passage of vessels.

"In this manner we have given up our means of defence within certain zones. I do not know what judgment history and future generations will pass on the action of Turkey in thus relinquishing her means of defence in order to satisfy other nations.

"Nevertheless, while, on the one hand, we are making such great sacrifices in the shape of demilitarisation, we see, on the other hand, that these same arrangements seriously jeopardise our own safety. As a matter of fact Greece is being enabled to raise soldiers among the inhabitants of the islands immediately opposite the demilitarised zones, to assemble all these soldiers in one or other of these islands, and to send her fleet to the mouth of the Dardanelles, which will be unfortified and deprived of all means of defence. In time of peace the recruits raised in one district suffice to form the forces which could usefully be maintained there; consequently, if Greece is authorised to utilise on the spot the contingents from the islands in question, it really amounts to her being allowed to have as many soldiers as possible in those islands.

"While the presence of the Turkish fleet in the Sea of Marmora and in front of the capital can only fulfil a defensive object, the presence of the Greek fleet immediately outside the Dardanelles can easily be attributed to aims of offence. Can we possibly allow the sacrifices made by us for the sake of world peace and in the interest of all peoples to facilitate preparations for attack on the part of the Greeks?

"On the other hand, I think there is no need to explain how indispensable it is for the defence of the disarmed Turkish Straits that the islands of Imbros, Tenedos and Samothrace, which form an integral part of the Dardanelles, should be restored to Turkey.

"It is true that the question of the islands has already been discussed several times, but this cannot prevent us from reverting to it. Justice should always be recalled to mind. Besides, nothing has yet been decided on this subject, and it naturally follows that this question must needs be re-examined at the time when a decision is to be taken. With a view to being able to protect the peninsula of Gallipoli from any surprise attack we have requested authorisation to maintain a garrison of minimum strength there. If the force of 5,000 men which we have requested is thought too large I agree to another figure being suggested to us by the Allied Powers themselves.

"But the technical arguments in favour of maintaining a Turkish garrison at Gallipoli are unanswerable, as we have already had occasion to explain to the experts. It was only because a decision on this question lay outside the competence of the experts that the matter was not settled by them.

"It is clear that all our efforts should be devoted to the sole object of ensuring freedom of maritime transit through the Straits; the authorisation which we request is therefore most legitimate, for the presence of a little garrison could in no way harm this freedom of transit, but could be utilised for preventing an eventual landing.

"I leave it to the Allied Powers to take a decision on this subject, and to make such reductions as they may consider necessary in the number of men which we request. In acting thus Turkey is making a fresh sacrifice and giving still further proof of her goodwill.

"I now wish to state my views on the draft concerning the freedom of the Straits.

"There is no difference of opinion between us respecting the transit of merchant vessels. As regards the transit of warships, the system advocated by us conduced to ensuring the safety of the capital of Turkey and of the Sea of Marmora. We asked that any fleet which was to pass through the Straits should be limited in such a manner that it would not be in a position to attack the Turkish fleet lying in the zone between the Straits.

"Is there anything more natural and more legitimate than our right to safety of this kind?

"The peace time limitations accepted by the Allied Powers are insufficient, and in war time the passage of unlimited numbers of fighting units past our capital would create grave disadvantages for Turkey if she were neutral.

"Nevertheless, the Turkish delegation declare that they accept the clauses of the Allied draft respecting the freedom of the Straits.

"Thus the sacrifices and concessions made by Turkey reach a level where they exceed the limits which her interests allow.

"In this way an agreement is established between Turkey and the Allied Powers on all fundamental principles respecting the Straits.

"Apart from the points with which I have dealt respecting the fleet and military forces of Greece, the scheme for the liberty of the Straits provides that warships on entering the Straits shall notify their strength, as an act of courtesy, to a signalling station designated by Turkey. In order to preserve the full force of this undertaking it is desirable to suppress the words 'as an act of courtesy' and render the notification obligatory.

"I also feel bound to observe that the Turkish delegation are unable to agree to the maintenance of stationnaires, which are reminiscent of the capitulatory régime and used to exist at Constantinople in the former days under the old system, whereby the Straits were closed to war-vessels.

"I now turn to the Straits Commission and the functions assigned to it. The idea of creating such a commission was first mentioned in a speech of his Excellency the first British delegate. Subsequently I referred to it myself in my reply and compared it to the Danube Commission for commercial vessels. The conference will remember that I have never in any way agreed to the idea of control, for we are firmly convinced that such consent would be incompatible with our sovereignty.

"When I alluded to the Danube Commission, the rules for transit which we have laid down to-day had not yet been worked out, nor had the demilitarisation of the Straits been decided. A measure which forms part of a group of other measures, essentially different from those under consideration to-day, cannot serve as the basis for the new system which we are now discussing.

"The fundamental authority for the measures upon which we have agreed is the treaty itself. It is therefore unnecessary to set up a commission in connection with one set of clauses, and we could quite well abstain from establishing this commission at all. But even if this commission is to be maintained its functions should in no case encroach upon the administration, sovereignty and existence of Turkey.

"The duties of the commission should be strictly limited to ensuring the regular application of the rules embodied in the scheme for the freedom of the Straits in regard to the transit of war-vessels.

"Turkey considers that by agreeing to this she has given proof of the greatest goodwill and of an extremely conciliatory spirit in the cause of peace. But if the concessions demanded of her are carried so far as to endanger her very existence, how could she consent to them? It is clear that measures connected with navigation (especially the lighthouse, pilotage and towing services) are part of the internal affairs of a country. Would it be possible to consent to such matters being controlled by an international commission? *A fortiori* it could not in any way be admitted that measures of demilitarisation should be controlled by such a commission. In point of

fact, what could this commission do in order to make sure that the garrison of Constantinople, which is not to exceed 12,000 men, be not increased to 13,000? It might say that it was necessary for this purpose to control the whole administration of Constantinople; it might also demand the right to supervise all matters connected with the gendarmerie at Gallipoli in order to see whether the armament of that force was really in accordance with the stipulations agreed upon. Turkey has had experience of such systems. To be exposed in any way whatever to intervention in a part of the territories subject to her sovereignty is a calamity worse than death.

"The demilitarisation in question relates chiefly to the coastal fortifications and means of defence on the shores of the Straits. Now these fortifications will first of all be destroyed with the collaboration of the Allies. Once they are destroyed, would it be possible to rebuild these structures in secret—a process which would take many months—especially in a locality so open to observation as the Straits? I wish to show in this way that control over demilitarisation is in itself quite unnecessary. If we assume the impossible and suppose that Turkey may violate her undertakings, it goes without saying that one could resort to the means usually employed between States in similar circumstances.

"It follows from all that I have said that demilitarisation will be placed on a solid basis if the fortifications are demolished at the outset, and if an undertaking is obtained from Turkey not to reconstruct them in the future.

"The considerations which I have laid before you will certainly be recognised by the public opinion of the world as a fresh sacrifice on the part of the Turkish delegation.

"What do the Allies demand? Demilitarisation of the Straits, passage of commercial vessels and ships of war, as provided in the scheme for the freedom of the Straits. We accept these practically *in toto*. But we cannot admit that these stipulations should confer a more favourable position on the Greek fleet and army. We also ask for a garrison at Gallipoli, and leave it to the Allies to determine its strength. If, on the other hand, we are not willing to admit that a Greek delegate should have a seat at Constantinople as a member of the Straits Commission, what could be more intelligible than our desire in this respect? Finally, we desire above all that the duties of the proposed commission should be limited to controlling the transit of war-vessels, in accordance with the scheme for the freedom of the Straits.

"I have the honour to state once more that this last point is the most essential feature in our claims.

"These are the last considerations which we have to present to you.

"I am convinced that when the statements which I have had the honour to make become known the public will be astonished to find that Turkey, after giving due consideration to all the demands of the Allies, was obliged to insist on a bare minimum of claims, absolutely legitimate in character, and of vital interest to her. There is no doubt that the whole world will approve her conduct.

"As regards political guarantees, Turkey has not as yet received satisfaction. I wish to state our demands in this respect clearly.

"As Turkey has renounced the right to fortify her capital and has authorised all ships of war to penetrate to the very heart of her territory, nothing could be more legitimate than her request for an undertaking that she will be protected against any act of war which may be committed by fleets passing freely through the Straits.

"I hope that the draft dealing with this subject which I had the honour to hand in yesterday may constitute a form of political guarantee which will be logical, moderate and easy of execution. I await the views of the Allied Powers on this matter."

LORD CURZON said that if no one else wished to speak it would be his duty, out of respect to Ismet Pasha, to make a few observations on the speech which the latter had just made. That speech was delivered in a tone of moderation and conciliation, which Lord Curzon recognised, and he hoped that his own would be conceived and accepted in the same spirit.

No one would be in disagreement with the general principles with which Ismet Pasha began his speech, and Lord Curzon entreated him to believe that all the Allies' proposals had been designed to secure a reasonable measure of security for the Straits and for the capital of Turkey. He recognised the legitimate anxieties of the Turkish delegation in this respect. Ismet Pasha's point of view was that every measure which the Turkish delegation were willing to yield must be regarded as a great sacrifice on the part of Turkey. Other delegates present might perhaps regard many of these

measures as concessions on the part of the Allied Powers. What one party regarded as a concession another was apt to regard as a sacrifice. Lord Curzon urged that there should be no dispute on this point, but that an endeavour should be made to arrive at an equitable solution.

Passing to the different points raised by Ismet Pasha, Lord Curzon was glad to note that his Excellency had accepted in clear terms the general clauses proposed by the Allies as regards the freedom of the Straits, and that he was in general agreement with the fundamental principles upon which those clauses were based. It therefore only remained to examine the practical application of the clauses.

The first point on which Ismet Pasha had raised objection was that of the garrison at Gallipoli. Ismet Pasha had originally proposed a force of 5,000 Turkish soldiers. The principle on which the Allies had proceeded was that no measures should be authorised either at Gallipoli or elsewhere to interfere with the freedom of the Straits, which had been accepted by both parties. Surely Ismet Pasha would recognise the fundamental contradiction between the conception of a demilitarised zone and the existence of a large force inside it. This was what the Allies had had in mind when drawing up their proposals. They had accordingly made provision for a Turkish garrison (the size of which was not yet determined) at Kavak beyond Bulair, the former place having been deliberately excluded from the demilitarised zone so that there might be no difficulty about the presence of Turkish forces there. It was also the case that the Turkish Government, which would have forces at Panderma, would be at liberty to transport them by sea to Gallipoli in the event of an attack and could easily do this in a few hours. But when Ismet Pasha laid stress on the existence of a force on the Gallipoli Peninsula itself, rather as a mark of sovereignty than for the purpose of repelling an attack, since the force in question would be small, was he not forgetting that by article 2 of the Allied demilitarisation proposals Turkey was allowed to maintain a force of gendarmerie on the peninsula? The difference between troops and gendarmerie was that while both equally represented the sovereign Power, the former had a full equipment of guns, which would be a menace to the freedom of the Straits, and the latter had not. The Allied proposal had been made purely from the military point of view, and he hoped that Ismet Pasha might find it sufficient for his purpose if a force of gendarmerie were provided, since Turkish gendarmerie included both cavalry and infantry and was practically the same as troops without guns.

The second objection raised by Ismet Pasha was one of which Lord Curzon had now heard for the first time, and concerned the right enjoyed by representatives of the Great Powers to have stationnaires at Constantinople. It had never occurred to him that this concession could be regarded as injurious or humiliating to the Turkish Government; it was simply analogous to the acts of courtesy generally granted to the representatives of foreign Powers in every capital. Constantinople, being on the sea, was in a different position from inland capitals such as Paris and Berlin, and the privilege of having a stationnaire there had always been regarded as a concession of a courteous character voluntarily extended to the representatives of the Great Powers by the Turkish Government. He could not say whether the Ambassadors would insist on maintaining a concession which was given grudgingly; its whole value resided in the spirit in which it was offered, not in that in which it was received. Ambassadors at Constantinople required yachts and launches for their convenience just as those at inland capitals require motor-cars or carriages, to which no one could object. If the Turks persisted in thinking that the presence of a stationnaire was in any way an infraction of Turkish sovereignty, he would be quite willing to consider with his colleagues—two of whom were Ambassadors and one an ex-Ambassador at Constantinople—whether any concession could be made.

The remaining question raised by Ismet Pasha was one of great importance, and in this respect there had possibly been some misunderstanding. It concerned the inspection or control of the demilitarised zones. This question might be regarded either from the point of view of the principle involved or from that of the machinery to be set up. In regard to the principle, surely there could be no dispute. If the zones were to be demilitarised and there were to be no fortifications, batteries or engines of war within them, it was quite right and proper that steps should be taken to see that the obligation was observed; this was done wherever demilitarisation existed. The Turkish Government, in whose good faith the Allies were quite content to believe, could hardly object to the exercise of such means of observation. The Turkish objection apparently related rather to the manner in which this observation was to be carried out; and this brought him to the question of the proposed commission of the Straits. He had listened very attentively to what Ismet Pasha had said on this subject both at the previous and at

the present meeting, and understood that his Excellency recognised such an institution as being desirable in itself. He had accepted it on both occasions for the double purpose of the smaller functions to which reference had already been made, and also of the more important duty of ensuring that the passage of men-of-war should be subject to the rules laid down. The commission was definitely included in the scheme submitted by Ismet Pasha on the previous day. He apparently objected to the commission having the duty of conducting the "surveillance" of the zones, and there might well be some force in this contention; possibly the commission was being asked to undertake functions outside its proper sphere. Lord Curzon had been talking the matter over with the heads of the French and Italian delegations and hoped that the Allies might be able to put before the Turkish delegation some suggestions later on which would meet the difficulty and enable them to maintain the principle, without impugning the sovereignty or wounding the feelings of the Turkish Government.

There was one point to which Ismet Pasha and the Turkish delegation were always alluding—namely, their idea that somehow or other the Allied proposals inflicted damage on Turkish sovereignty. Such was not the Allies' intention in the least degree. Every treaty was in a sense a limitation of sovereignty for each of the signatories. For instance, if he (Lord Curzon) made a treaty of commerce with Turkey whereby only certain duties should be imposed on imports from Turkey into England, that was a limitation on British sovereignty, but he did not regard himself as wounded thereby. If Ismet Pasha would come and have a talk with him one day, he could give him a score of illustrations showing how the Great Powers were constantly binding themselves and shutting themselves up by treaties limiting their sovereignty. An instance was the treaty between Great Britain and the United States of America in regard to the Great Lakes between America and Canada. That treaty imposed a distinct limitation on the size and number of armed vessels allowed on those lakes, but it never occurred either to Great Britain or to the United States to regard this treaty as a wounding blow to its own sovereignty. He would not pursue the matter further, and only mentioned it because he wished to beg Ismet Pasha to dismiss the idea from his mind. He had pleaded to the same effect before, but apparently without much success. He trusted that Ismet Pasha would not represent Turkish sovereignty as something at which the Allies wanted to throw stones; all they wanted was to devise a just solution. When there was anything really injurious to Turkish sovereignty or liberty, then the Allies would be ready to consider it and to see whether they could give way in the matter.

M. BOMPARD said that he had been surprised to hear Ismet Pasha's request in regard to the stationnaires of the Embassies. The presence of these stationnaires was in no way connected with the question of the Capitulations. What was more, this custom had never given rise to any complaints at Constantinople. Communications were still difficult in Turkey, and it was natural that the Ambassadors should have stationnaires at their disposal for getting about.

M. Bompard asked Ismet Pasha not to insist on this demand. The other Turkish requests were far more serious, and they would certainly suffer if the question of stationnaires was pressed.

M. BARRÈRE said that he had already appealed to the goodwill of all delegations with a view to devising a just and satisfactory solution. He observed with pleasure that this appeal had not been made in vain, and that a great step had been made towards conciliation and towards solving the important question of the Straits. On behalf of the Allies and on his own behalf he was happy to take note of the agreement which had just been reached as regards the broad principles on which the Allies had taken their stand with a view to safeguarding the freedom of the Straits. He felt sure that, after some further explanations and remarks, a final agreement between the Turks and the Allies would be attained.

MARQUIS GARRONI said that he was glad to associate himself with the statements of Lord Curzon and M. Barrère. He shared the hope that the solution of the problem of the Straits would be found without any difficulty.

BARON HAYASHI observed that, thanks to the spirit of conciliation shown by the Turkish delegation, differences of opinion on the question of the Straits, which had appeared to be very serious, were now vanishing. He rejoiced to see that the solution of the problem seemed imminent.

M. SPALAIKOVITCH hoped that the Straits question would be settled without delay. The Turkish delegation could not fail to perceive that the arrangements

proposed by the Allies would ensure the freedom of the Straits without infringing the sovereignty of Turkey. He was glad to note that a great step had been made towards the final solution of this important question.

ISMET PASHA said that he wished to clear up one point which he regarded as essential so that no misunderstanding might be created in regard to the duties of the International Straits Commission. It was evident from his statements at the present and at the previous meeting that, in accordance with the programme for the freedom of the Straits, the commission should only be required to ascertain whether the provisions respecting warships were being observed. Further, the points to which the Turkish delegation agreed and those in respect of which they asked for modifications formed an indivisible whole.

(*The commission rose at* 5·25 P.M.)

[E 542/1/44] No. 55.

Note verbale communicated to Russian Delegation, Lausanne, by the Heads of Allied Delegations.—(Received in Foreign Office, January 13.)

PAR sa note verbale du 7 janvier, la délégation de Russie a cru devoir protester contre le fait qu'un projet de convention relatif aux Détroits serait actuellement en préparation sans qu'aucune mesure eût été prise pour permettre à cette délégation de prendre part à sa rédaction.

La délégation russe, faisant valoir qu'un texte élaboré dans ces conditions fournirait difficilement les bases d'un accord avec la Russie, demande que tout projet d'accord relatif aux Détroits soit discuté en détail avec la participation de toutes les Puissances siégeant à la Commission des Détroits.

En réponse à cette communication, les présidents de la conférence ont l'honneur de faire remarquer à la délégation russe qu'elle n'est pas fondée légitimement à prétendre avoir été tenue à l'écart des négociations et qu'aucune atteinte n'a été portée par la conférence à son droit de libre discussion. L'étude de la question des Détroits a fait l'objet de sept séances de la commission. Dans l'intervalle de ces séances, les experts alliés ont été à la disposition de la délégation russe comme à celle des autres délégations et les experts russes se sont rencontrés avec eux. Si, pour permettre à la conférence d'aboutir à des conclusions, certaines délégations ont eu entre elles des conversations officieuses, en vue de préparer des textes sur lesquels l'accord puisse se réaliser, ces conversations n'ont eu d'autre but que de hâter les travaux de la conférence et de préciser les points sur lesquels l'accord s'était établi au sein de la commission entre la majorité des délégations. Mais il est évident que les textes qui seront ainsi préparés seront communiqués en temps utile à la délégation russe.

Lausanne, le 10 *janvier* 1923.

No. 56.

Sir P. Loraine to the Marquess Curzon of Kedleston.—(Received January 13.)

(No. 13.)
(Telegraphic.) D. *Tehran, January* 12, 1923.

MY telegram No. 8.

Persian Government, while taking note of our reply in detail, observes that—

1. Some discussions have taken place about Kurdistan, where Persian Government has interests.

2. Conference has listened to remarks of Chaldean representative, which were contrary to proprietary right of Persia

Fact of conference having heard baseless representations of Chaldeans, many of whom are Persian subjects, causes deep regret to Persian Government, which requests me to accord its protest and inform it of result.

My French and Italian colleagues have received similar communication.

I do not know on what information Persian statements are based.

No. 57.

The Marquess Curzon of Kedleston to Sir Eyre Crowe.—(Received January 14.)

(No. 198.) [By Bag.]
(Telegraphic.) *Lausanne, January 12, 1923.*

MATTERS are still going very slowly, and I find utmost difficulty in inducing my colleagues to make an advance. Although French and Italians have persisted in view that if question of Capitulations were left to them, they would persuade Turks to come to terms, and although a fortnight has been allowed to elapse in order to give them the desired chance, nothing has happened, and at a meeting yesterday between Rumbold, Bompard, Garroni and Ismet, the last named was as intransigent as ever, and declined to make the smallest concession. I foresee that they will now come to me and ask me to apply rather more strenuous methods: and I am considering whether an arrangement cannot be effected that will give ostensible satisfaction to both sides. M. Barrère, who is much perturbed at criticisms passed on his alleged subservience, and not least by his chief in Paris, has asked: (1) that my draft heads of a treaty shall be reduced to a French idiom in order to sustain the illusion of a French origin, and be introduced as a Franco-British project; (2) that he should refer the whole matter to Paris, where M. Poincaré has insisted on having everything transmitted to him before he will give the requisite authority. I have agreed to (1) provided that the draft heads are handed to the Turks, with the requisite speech of explanation, at a plenary conference by me as Secretary of State, instead of, as proposed by M. Barrère, by himself. As regards (2), I could not refuse to M. Barrère the right to hear his master's voice. But I have reminded him that M. Poincaré more than once assured me at Paris that French plenipotentiaries would have full powers, without necessity of reference; and I have said that I shall not be prepared to accept at the last moment any substantial modifications or alterations dictated by Quai d'Orsay.

Meetings of M. Barrère's commission are again postponed at his request, and will not be completed till next week.

Garroni's commission is in a similar plight for similar reasons, and I often wonder whether my colleagues will ever be induced to bring affairs to a head. These delays are profoundly unsatisfactory and humiliating, since they only encourage the Turks to fresh resistance and further demands. In the meantime, the French press reciprocates the extreme generosity with which we and the British press have always treated M. Barrère with daily attacks upon the British delegation and myself, and with attribution of any success that we may obtain, *e.g.*, on Patriarchate, to French initiative and French influence. Altogether the atmosphere is becoming very trying, and nerves are apt to show frayed edges. Barrère, whom I saw this morning, is even weakening on subject of treaty, and suggested that I should make some further concessions on substantial issues where the Allies have hitherto stood firm, and where solutions proposed in open conference by me were only put forward as result of complete Allied agreement. I think that both French and Italians are bitterly disappointed at their failure to secure Turkish acceptance of the points that interest them most, leaving me to fight forlorn and solitary battle about Straits, Mosul, &c., and their passion for delay is due to the still unsurrendered idea that by further secret palavers they may bring this about. This, of course, is an additional reason for pushing on, but Sisyphus and his stone were tame performers compared with my daily task.

I have insisted on Barrère sending the draft heads to Paris not later than to-morrow, and I shall then communicate them confidentially, though of course with French knowledge, to the other delegations, who are aflame with curiosity. All this may tend slightly to expedite progress. But the Cabinet must not fail to remember that the tortoise is a far more popular animal here than the hare, and must make the requisite excuses.

Questions of amnesty and military service have been settled. But the rock of finance still rears its head unshattered by the storms, and the Allied proposals lie like wrecks around its base.

No. 58.

The Marquess Curzon of Kedleston (No. 4) to Major Marshall.—(Repeated to Foreign Office; Received January 13.)

(No. 201.)
(Telegraphic.) R. *Lausanne, January 13, 1923.*

MY telegram No. 2.

Turks have now raised question of Hedjaz Railway in conference, and in order to meet their point of view French and British Governments are considering issue of a declaration on something like the following lines:

"French and British Governments as mandatories for Syria, Palestine and Transjordania respectively, desiring to recognise religious character of Hedjaz Railway, declare themselves ready to accept formation of an advisory council to advise railway administration of different sections of Hedjaz line lying in Syria, Palestine, Transjordania and Arab Hashimite Kingdom on all such matters relating to railway as affect convenience and comfort of pilgrims and upkeep of line. Council would consist of four Moslems nominated respectively by Syria, Palestine, Transjordania and Hedjaz. This council would have the power to elect another Moslem as president, and to co-opt as additional members of council not more than two Moslem representatives from other countries interested in Hadj; recommendations of council would be confirmed within limits imposed by terms of international sanitary conventions. France and Great Britain declare that in so far as sections of railway lie within Syria, Palestine and Transjordania, any profits derived from railway would be devoted to maintenance and improvement of railway as a whole. Should any sum remain after deduction of such expenditure, such sum would be allocated to assist poorer pilgrims visiting Mecca and Medina. Council would sit at Medina."

Dr. Naji-el-Assil recently put forward a proposal from King Hussein that whole line should be handed over to him as legal proprietor. This was refused for obvious administrative reasons, but Dr. Naji-el-Assil has now been informed of Turkish proposal and of main line of above declaration. He has been asked to telegraph to Hussein and enquire whether latter would accept formal suggestion of the council in so far as Hedjaz is concerned.

No. 59

The Marquess Curzon of Kedleston to Sir Eyre Crowe.—(Received January 13.)

(No. 202.)
(Telegraphic.) *Lausanne, January 13, 1923.*

FOLLOWING for Prime Minister

"Rickett, whom we know to be quite unscrupulous intriguer, has returned here and has told Ismet Pasha that he saw Lord Long and yourself about Mosul question in London, and that you were contemplating transfer of Peace Conference to London, McNeill having to be sent out here to replace me, and Sir W. Tyrrell having already been recalled. This childish farrago of lies is only of importance here because of unfathomable credulity of Turks and intrigues of Russians, with whom, especially with Chicherin, Rickett is familiar. I shall be glad of your repudiation for use if required, and I do implore everyone at home from Long downwards to keep clear of this dirty mess of Mosul oil, which is fouling everyone's hands, and will end by spoiling Lausanne. Rickett in London also saw Townshend, who is playing a traitor's part."

No. 60.

The Marquess Curzon of Kedleston to Consul London (Geneva)

(No. 3.)
(Telegraphic.) R. *Foreign Office, January 13, 1923.*

FOLLOWING for Secretary-General of League of Nations:

"My letter of 30th December: Withdrawal of balance of grant of 50,000*l.* for Near East Refugee Relief.

"His Majesty's Government would be glad of very early information, if possible by telegraph, regarding additional commitments in respect of 50,000*l.* grant for Near East Refugee Relief definitely entered into by other Powers prior to 1st January."

No. 61.

Mr. Henderson (No. 30) to the Marquess Curzon of Kedleston.—(Repeated to Foreign Office; Received January 14.)

(No. 20.)
(Telegraphic.) *Constantinople, January 14, 1923.*

MY telegram No. 29.

I spoke to Adnan Bey to-day on the subject of insinuations in press that British are conniving at Greek military preparations in Thrace. He will draw attention of Turkish censors to matter, and spoke plaintively about his difficulties with the press He said he received daily reprimands from Angora as regards severity of censorship in Constantinople, and that he did not find it easy to satisfy both Angora and Allies.

I believe Adnan to be sincere in his attempts to keep Turkish press within bounds, and on the whole and in the circumstances I cannot so far, in spite of occasional lapses, seriously complain of Turkish exercise of censorship.

Turks are undoubtedly uneasy in regard to Greek military preparations in Western Thrace While this is salutary frame of mind, Greek attitude revives Turkish mistrust of Great Britain and furnishes excuse for counter-preparations in Eastern Thrace.

Any [group undecypherable] in press, such as [? group omitted] by General Harington, would have more force if coming from London or Lausanne.

E 620/18/44] No. 62.

Mr. Henderson to the Marquess Curzon of Kedleston.—(Received January 15.)

(No. 11.)

HIS Majesty's representative at Constantinople presents his compliments to His Majesty's Secretary of State for Foreign Affairs and has the honour to transmit herewith, for such action as may be possible, copy of a despatch from the acting British consul-general, Smyrna, respecting the claims of British subjects for recent losses at Smyrna.

Constantinople, January 4, 1923.

Enclosure 1 in No. 62.

Acting Consul-General Urquhart to Sir H. Rumbold.

(No. A/32.)
Sir, *Smyrna, November 20, 1922.*

I HAVE the honour to refer to the letters which have been forwarded to me under covers Nos. 120 and 121, dated the 3rd instant, for comment, and which bring to the forefront the questions of what compensation is due to Smyrna British subjects on account of the ruinous losses suffered by them in the recent upheaval, by whom it is due, and how it may be obtained.

2. I would respectfully submit that it seems eminently desirable to aim at compensation in full for the losses suffered; that, in my opinion, the Angora Government is responsible for these losses; that the first step towards obtaining compensation is the establishment of that Government's responsibility, claims afterwards to be presented as a whole.

3. In my present position of non-recognition and practical powerlessness in face of an armed force, I am tolerated in a more or less friendly manner by the civil authorities, and allowed a certain sphere of usefulness to British interests. I consider it expedient at this moment to avoid the clash with a superior force which might follow any attempt openly to step beyond that sphere. I accordingly consider

it is quite hopeless for me to make any representations on receipt of letters such as those referred to above.

Such representations would cause irritation, and possibly be worse than fruitless from the point of view both of the claimants and of British prestige.

4. I would therefore further respectfully submit that this problem is of sufficient magnitude to merit the attention of His Majesty's Government, and beg to enclose a memorandum of the facts which have led me to the opinion expressed in paragraph 2 above.

I have, &c.
R. W. URQUHART

Enclosure 2 in No. 62.

Memorandum on the Destruction of British Property in Smyrna consequent on the Re-Capture of that Town by Turkish Troops on September 9, 1922.

(Confidential.)

THE Kemalist troops entered the town of Smyrna proper without opposition on the morning of Saturday, the 9th September, 1922. In a short time their numbers had increased to many thousands.

2. There can be no doubt that they were completely masters of the situation, and eager to assume responsibility for maintenance of order in the town from that date onwards. They issued a proclamation immediately on arrival, ordering citizens to pursue their ordinary business, and sent patrols through the streets to calm the population with assurances that there was nothing to fear. Kemal required the Allied patrols to be withdrawn, and even allotted guards to the various consulates. It is certain that the Turks had it in their power to prevent the loss of life and property that ensued from fire and pillage.

3. Despite these assurances order was not maintained. Looting became general. Civilian Turks and soldiers set about eliminating from the bazaars the shops of Greeks and Armenians, while the destruction of the Armenian quarter seemed to be regarded as a first duty. There was heavy rifle firing during the night of the 9th September and every succeeding night until the fire. On Sunday, the 10th September, an officer informed me that all Armenians were to be arrested at once, alleging that they were all in possession of bombs. Systematic looting of their quarter was begun, and death on sight for Armenians seemed to be the order of the day. In company with Sir Harry Lamb, who desired to protect the property of a British subject, I visited the Armenian quarter on the morning of Tuesday, the 12th September. We found soldiers actively engaged in expelling occupants of houses, in removing loot by cart-loads, and in the streets, a large number of bodies already smelling very badly.

4. It was here that the first fire broke out about midday of Wednesday, the 13th September. I am informed that their intention to burn this quarter was common talk among Turks, while the fire was yet in its early stages, and I have information from a reliable source, which can be indicated if necessary, that Noureddine Pasha himself practically admitted having given orders for the fire, but that he appeared to be in some consternation when it was reported to him that the fire was beyond control.

5. Whether or not the Turkish command intended to burn only the Armenian quarter, the facts are that a number of fires broke out along a line roughly dividing the Turkish from the Christian quarters, one fire breaking out late in the evening in the Maltese quarter. The wind was at right-angles to this line, off the Turkish quarter, and the fires rapidly developed into one general conflagration. That a part of the European quarter was saved was due solely to a change of wind about dawn of the 14th September. Far from any organised effort being made by the Turkish military to control the fire, they are reported to have encouraged it by pouring petrol on buildings. It is possible that old and infirm British subjects, being unable to flee, may have lost their lives in this fire; it is certain that a large amount of British property perished in it.

6. Pillage was almost equally disastrous to property-owners. At first everyone pillaged indiscriminately; refugees looted houses whose owners were absent Turkish civilians looted shops and houses, while the Kemalist troops looted everywhere and robbed civilians and refugees alike. The military were completely out of hand, and remained so for weeks, until finally even the heaviest articles of furniture were being

removed from houses and sold for the smallest fraction of their value. Every non-Moslem was fair game, with the doubtful exception of Jews. To protest to them was dangerous. They were resentful as well as predatory, and what they could not remove was, in many cases, wantonly smashed. They alleged that the British authorities in Constantinople had ejected Turkish householders, there causing loss of money as well as inconvenience, and even, in some cases, destroying the houses; now in Smyrna the Turks had British houses at their mercy, and they intended to do as they had been done by. The civil authorities did listen to protests, and, while pointing out that they did not recognise consular authority in Smyrna, they did promise much that they had not the power to fulfil; they feared the military; the political secretary of the Governor-General begged me on several occasions not to go too far with protests against destruction of property for fear of resentment of the military. He promised that the whole question of losses by looting could be gone into later, after the return of the military to their homes, and the re-establishment of civil authority. Meantime, pillage had to run its course.

7. It is said that every Kemalist soldier was promised a "walk through Smyrna" after its recapture, and it is a fact that very large numbers of troops were passed through the town, while for some time the officers filling the various military posts were changed about once in two days. House after house was requisitioned for their accommodation, and ransacked before evacuation. I am of opinion that Smyrna was deliberately given over as loot for some time to the Kemalist army, officers and men alike, as a reward for their efforts in capturing it

8. The Turks have advanced the following arguments in their defence: I find them wholly untenable:—

(*a.*) The Greeks and Armenians, they say, burned the city. Why the Greeks should have waited until the fifth day after the Turks arrived, and the Armenians until their quarter was in the state I saw it in, and why both should have chosen to set fire to their own quarters instead of the Turkish, driving so many of their own races from their houses into the sea, are questions which it is not politic to put. In this connection it may be of interest to report that the French vice-consul here has expressed to me his opinion that the Turks burned the city; when I referred to the decided and well-known opinions of M. Franklin-Bouillon and Admiral Dumesnil on this subject, he pointed out that M. Bouillon, on the occasion of his visit to Smyrna after the fire, was concerned only to meet Mustapha Kemal, and had no opportunity to investigate the origin of the fire, while Admiral Dumesnil, he thinks, tends in this case to give expression to his own prejudices rather than to the results of any investigations.

(*b.*) The Turks have stated that anyone who remained here to protect his property after their arrival was able to do so. It is true that several persons did actually succeed in preserving their property more or less intact, but one attempt to do so on the part of a British subject ended disastrously. I refer to the death of Dr. Murphy, and the treatment his whole household received at the hands of looting Kemalist. I am convinced that if more British subjects had remained in Smyrna the death roll would have been heavier, but the loss in property not appreciably lighter. In view of Kemal's refusal to give any guarantee for the safety of British lives and property, the risk attaching to residence in Smyrna was prohibitive for British subjects as a whole. A few remained, being in enjoyment of special protection from the Turks, but even for them the strain was great and the risk considerable.

(*c.*) The Turks claim to be restoring property, and to have discountenanced looting. It is true that several British houses have been evacuated and placed at the disposal of their owners, but they are devoid of furniture and gravely damaged. It is also true that an offer has been made to return one or two cars to their owners. They, in turn, are stripped of everything movable. In any case this return of property can affect but the merest fraction of what has been seized, and seems to me only a belated effort to acquire, at a very low price, credit for some desire to safeguard European property. It is also true that some twelve officers have been confined to their rooms in Bournabat for looting on a large scale, but I learn that it is rather the manner in which they conducted their operations than the operations themselves that led to their arrest. They recently accompanied Fevzi Pasha on a journey from Smyrna to Angora. The great quantity of that general's personal luggage having caused comment on arrival at Angora, it was found, upon investigation, that the officers accompanying him had labelled their loot with his name to secure its safe conveyance. In any case, the punishment of a few looters, even if severe, cannot expiate the offences committed by a whole army.

9. In short, the Kemalists entered Smyrna animated solely by desire for revenge, by fanaticism and avarice. I again submit that the Angora Government is responsible for the acts committed by its soldiers in uniform; that no argument so far advanced constitutes any defence for these acts; that no action taken so far, or likely to be taken in the future by the Turkish authorities, holds forth the slightest hope that the Angora Government will, of its own accord, offer to the British community adequate compensation for the ruinous losses it has suffered.

[E 623/17/44] No. 63.

Mr. Henderson to the Marquess Curzon of Kedleston.—(*Received January* 15.)

(No. 15.)

HIS Majesty's representative at Constantinople presents his compliments to His Majesty's Secretary of State for Foreign Affairs, and has the honour to transmit herewith copy of a letter to Dr. Adnan Bey, representative of the Grand National Assembly, respecting the alleged ill-treatment of Moslems at Tenedos.

Constantinople, January 5, 1923.

Enclosure in No. 63.

Mr. Henderson to Dr. Adnan Bey.

LE Haut-Commissaire par intérim de Sa Majesté britannique a eu l'honneur de recevoir la note que son Excellence Dr. Adnan Bey a bien voulu lui adresser en date du 26 décembre écoulé, au sujet de l'attitude de la population grecque de Ténédos envers l'élément musulman de cette ville.

Mr. Henderson s'est empressé de communiquer le sens de cette note à l'amiral commandant les forces navales britanniques à Constantinople, qui a bien voulu envoyer un contre-torpilleur sur les lieux afin de se rendre compte de la situation.

Les autorités navales britanniques ont en outre invité le moutessarif de Chanak à envoyer un représentant à bord de cette unité qui aurait toutes les facilités pour mener une enquête indépendante. Celui-ci cependant ne se vit pas à même d'accepter cette proposition. Or, à défaut d'un représentant turc, le commandant s'est fait accompagné à Ténédos d'officiers de l'armée britannique connaissant le turc qui se sont entretenus le 1er janvier avec le moufti et d'autres musulmans de l'île sans qu'aucun Grec fût présent à l'entrevue. Ces musulmans furent unanimes à se déclarer satisfaits de l'administration hellénique et ajoutèrent que les allégations de persécutions à leur encontre ne sont pas exactes.

Constantinople, le 5 janvier 1923.

[E 630/194/44] No. 64.

Mr. Henderson to the Marquess Curzon of Kedleston.—(*Received January* 15.)

(No. 22.)

My Lord, *Constantinople, January* 9, 1923.

I HAVE the honour to transmit to your Lordship herewith copy of a note addressed to me by the Œcumenical Patriarch in regard to the application in Constantinople of the Nationalist law on abandoned properties together with the minutes of a meeting of the three Allied juridical advisers held to discuss the various aspects of this question.

2. With the exception of an enquiry, referred to in the third paragraph of those minutes, from certain British residents at Chanak as to the protection which would be afforded them if the Turkish authorities attempted to apply the law to their properties in that sanjak, there has, so far as I am aware, been no indication of any intention for the present on the part of the Turks to extend its application to the property of subjects of the principal Allied Powers. On the other hand, preliminary steps have already been taken here to apply it to the property of Hellenes who have left this city. Instructions have been given to the president of the Allied Police Commission, Colonel Caprini, to raise this question with the Turkish authorities and to insist at least, even

if the registration of such properties cannot be prevented, that actual seizure and sale be not effected.

I have, &c.
NEVILE HENDERSON.

Enclosure 1 in No. 64.

Œcumenical Patriarch to Mr. Henderson.

M. le Haut-Commissaire, *Constantinople, le 7 janvier* 1923.

LE Patriarcat œcuménique avait déjà, par sa précédente communication en date du 13 novembre 1922, élevé sa protestation au sujet de la loi sur la gestion des biens abandonnés, votée par la grande Assemblée nationale d'Angora.

Le Patriarcat œcuménique apprend avec regret que l'on a commencé à Constantinople à enregistrer les biens meubles et immeubles de tous ceux qui sont partis de notre ville.

Les listes ainsi dressées sont transmises à la Direction générale du Cadastre pour empêcher tout transfert des immeubles en question.

Le Patriarcat œcuménique voit dans cette mesure l'intention évidente d'appliquer également à Constantinople la loi des biens abandonnés, ce qui signifie la suppression du droit de propriété personnelle, inscrit dans les codes de toutes les nations civilisées, et constituant une façon indirecte d'appliquer également en Turquie le bolchevico-communisme de Moscou.

Les Turcs ne pouvant pas, à cause de leur loi religieuse, sur laquelle les dirigeants d'Angora ont l'air de s'appuyer, appliquer la méthode directe bolchevique supprimant la propriété privée, agissent ainsi vis-à-vis des chrétiens d'une façon indirecte, mais tendant au même but.

La mesure des autorités turques est d'autant plus injuste que le départ de ces chrétiens est provisoire et que certainement ils reviendront à ce pays dès que sa situation politique deviendra normale.

Le Patriarcat œcuménique a l'honneur d'attirer l'attention sérieuse de leurs Excellences MM. les Hauts-Commissaires sur ce qui précède, les priant d'user de toute leur influence pour empêcher l'application de ces mesures.

Dans l'espoir que cette voix en faveur de la justice, à laquelle tout homme a droit, ne restera pas sans écho, je prie votre Excellence d'agréer, &c.

MÉLÉTIOS,
Patriarche œcuménique.

Enclosure 2 in No. 64.

Commission mixte interalliée.—Séance du 2 Janvier 1923.

Application de la Loi sur les Biens abandonnés.

M. CILLIÈRE entretient la commission de la question de la loi sur les biens abandonnés à propos de l'application de cette loi aux biens des sujets hellènes qui ont quitté le pays. Il expose que les Hauts-Commissaires se sont préoccupés récemment de cette question à la suite d'une demande d'instructions adressée à son Excellence M. Maissa par M. le Colonel Caprini. M. Cillière a été chargé par le Général Pellé d'examiner à nouveau la question à propos d'une requête, dont il donne lecture, des Pères assomptionnistes demandant l'assistance du Haut-Commissariat pour la sauvegarde de leurs droits de propriété sur leur école d'Eski-Chéhir.

M. Cillière constate que les Alliés n'ont pas jusqu'à ce jour été menacés de l'application de cette loi et il ajoute que rien ne semble indiquer que les autorités turques aient l'intention de l'étendre aux propriétés anglaises, françaises ou italiennes. Il se demande, cependant, si l'application de cette loi aux biens meubles et immeubles des sujets hellènes ne constituerait pas à cet égard un précédent peut-être dangereux. Il fait observer que la loi dont il s'agit, loi d'un caractère d'ailleurs très exceptionnel, a été faite non pas en vue des biens des étrangers, mais de certains sujets ottomans. C'est seulement en raison des termes très généraux de cette loi, qui parle des personnes en fuite ou absentes, qu'elle peut être appliquée aujourd'hui aux Hellènes. Les Turcs ont le droit de prendre certaines mesures vis-à-vis des biens ennemis, comme les Puissances alliées l'ont fait elles-mêmes pendant la guerre, mais celles-ci ont agi en vertu de lois ou de décrets visant spécialement les biens ennemis et ne pouvant être étendus aux biens des autres étrangers.

Mr. Waugh informe la commission que le Haut-Commissariat britannique a été saisi de cette même question au sujet des biens appartenant à des ressortissants anglais de la région des Dardanelles. Il rappelle aussi à la commission la requête du Patriarcat œcuménique demandant aux Hauts-Commissaires de s'opposer à l'application de cette loi à Constantinople et donne lecture de cette communication.

M. Tripepi fait observer que la loi sur les biens abandonnés n'est appliquée en réalité qu'aux Hellènes et il estime que les Turcs n'ont pas l'intention de l'étendre aux biens des autres Alliés. Il serait facile d'en empêcher l'application jusqu'à la conclusion du futur traité à Constantinople. Il ajoute qu'on ne pourrait pas s'opposer en fait à son application à l'intérieur.

M. Cillière dit qu'il a voulu seulement poser la question à la commission pour permettre aux Hauts-Commissaires d'examiner s'il n'y aurait pas lieu soit de faire une démarche auprès du représentant du Gouvernement de la grande Assemblée nationale de Turquie, soit de signaler cet état de choses aux délégués alliés à la Conférence de Lausanne.

Mr. Waugh partage cet avis.

La commission s'accorde à penser qu'il y aurait lieu de mettre la Conférence de Lausanne au courant de la question en joignant une copie de la note du Patriarcat œcuménique et en signalant le danger qu'il y aurait de laisser étendre cette loi aux biens des Hellènes, en ajoutant que certains ressortissants alliés se préoccupent d'échapper à cette loi.

Toutefois, avant de proposer cette décision aux Hauts-Commissaires, la commission juge nécessaire de se renseigner sur la réponse faite par les autorités turques à la démarche que les Hauts-Commissaires ont chargé M. le Colonel Caprini de faire auprès d'elles.

M. Tripepi veut bien se charger de se renseigner sur les résultats de cette démarche.

[E 602/1/44] **No. 65**

LAUSANNE CONFERENCE ON NEAR EASTERN AFFAIRS.

Déclaration du 11 janvier 1923 relative à l'Amnistie approuvée par la Sous-Commission des Minorités.—(Communicated by the British Delegation (No. 44); Received at Foreign Office, January 15, 1923.)

AUCUN des habitants de la Turquie et réciproquement aucun des habitants de la Grèce ne devra être inquiété ou molesté en Turquie et réciproquement en Grèce, sous aucun prétexte, en raison de sa conduite militaire et politique ou en raison d'une assistance quelconque qu'il aurait donnée à une Puissance étrangère signataire du présent traité ou à ses ressortissants entre le 1er août 1914 et le 20 novembre 1922.

2. Aucun des habitants des territoires détachés de la Turquie en vertu du présent traité ne devra être également inquiété ou molesté, soit en raison de son attitude politique contraire à la Turquie ou favorable à elle, pendant la période du 1er août 1914 au 20 novembre 1922, soit en raison du règlement de sa nationalité en vertu du présent traité.

3. Amnistie pleine et entière sera respectivement accordée par le Gouvernement turc et par le Gouvernement grec pour tous crimes et délits commis durant la même période en connexion évidente avec les événements politiques survenus pendant cette période.

4. Toutes condamnations prononcées de ces chefs seront annulées et toutes poursuites en cours seront arrêtées.

5. Le Gouvernement turc, partageant le souci de pacification générale dont sont animées toutes les Puissances, déclare son intention de ne pas contester les opérations effectuées sous les auspices des Alliés pendant la période comprise entre le 30 octobre 1918 et le 20 novembre 1922, dans le but de rétablir les familles dispersées en raison de la guerre et de replacer les ayants droit légitimes en possession de leurs biens.

Toutefois, cette intention n'exclut pas la possibilité de toute revision des opérations susvisées en cas de recours des intéressés. Les réclamations relatives aux personnes et aux biens seront examinées par une commission composée d'un délégué du Croissant-Rouge et d'un délégué de la Croix Rouge. En cas de divergences, ces derniers choisiront un surarbitre ; s'ils ne peuvent pas s'entendre sur ce choix, le surarbitre sera désigné par le président de la Cour permanente internationale de Justice de La Haye.

[E 603/1/44] No. 66.

Clauses relatives à la Protection des Minorités approuvées par la Sous-Commission des Minorités le 11 janvier, 1923.—(Communicated by the British Delegation, Lausanne (No. 45); Received in Foreign Office January 15.)

ARTICLE 1er.

LA Turquie s'engage à ce que les stipulations contenues dans les articles de la présente section soient reconnues comme lois fondamentales, à ce qu'aucune loi, aucun reglement, ni aucune action officielle ne soit en contradiction ou en opposition avec ces stipulations et à ce qu'aucune loi, aucun règlement ni aucune action officielle ne prévalent contre elle.

ARTICLE 2.

Le Gouvernement turc s'engage à accorder à tous les habitants de la Turquie pleine et entière protection de leur vie et de leur liberté, sans distinction de naissance, de nationalité, de langue, de race ou de religion.

Tous les habitants de la Turquie auront droit au libre exercice, tant public que privé, de toute foi, religion ou croyance dont la pratique ne sera pas incompatible avec l'ordre public et les bonnes mœurs.

Les minorités non musulmanes jouiront pleinement de la liberté de circulation et d'émigration, sous réserve des mesures s'appliquant, sur la totalité ou sur une partie du territoire, à tous les ressortissants turcs et qui seraient prises par le Gouvernement turc pour la défense nationale ou pour le maintien de l'ordre public.

ARTICLE 3.

Les ressortissants turcs appartenant aux minorités non musulmanes jouiront des mêmes droits civils et politiques que les musulmans.

Tous les habitants de la Turquie, sans distinction de religion, seront égaux devant la loi.

La différence de religion, de croyance ou de confession ne devra nuire à aucun ressortissant turc en ce qui concerne la jouissance des droits civils et politiques, notamment pour l'admission aux emplois publics, fonctions et honneurs ou l'exercice de différentes professions et industries.

Il ne sera édicté aucune restriction contre le libre usage pour tout ressortissant turc d'une langue quelconque, soit dans les relations privées ou de commerce, soit en matière de religion, de presse ou de publications de toute nature, soit dans les réunions publiques.

Nonobstant l'existence de la langue officielle, des facilités appropriées seront données aux ressortissants turcs de langue autre que le turc pour l'usage oral devant les tribunaux.

ARTICLE 4.

Les ressortissants turcs appartenant à des minorités non musulmanes jouiront du même traitement et des mêmes garanties en droit et en fait que les autres ressortissants turcs. Ils auront notamment un droit égal à créer, diriger et contrôler à leurs frais toutes institutions charitables, religieuses ou sociales, toutes écoles et autres établissements d'enseignement et d'éducation, avec le droit d'y faire librement usage de leur propre langue et d'y exercer librement leur religion.

ARTICLE 5.

En matière d'enseignement public, le Gouvernement turc accordera, dans les villes ou districts où réside une proportion considérable de ressortissants non musulmans, des facilités appropriées pour assurer que dans les écoles primaires l'instruction soit donnée dans leur propre langue aux enfants de ces ressortissants turcs. Cette stipulation n'empêchera pas le Gouvernement turc de rendre obligatoire l'enseignement de la langue turque dans lesdites écoles.

Dans les villes ou districts où il existe une proportion considérable de ressortissants turcs appartenant à des minorités non musulmanes, ces minorités se verront assurer une part équitable dans le bénéfice et l'affectation des sommes qui pourraient être attribuées sur les fonds publics par le budget de l'État, les budgets municipaux ou autres, dans un but d'éducation, de religion ou de bienfaisance.

* Final form of revise as printed in No. 42.

Les fonds en question seront versés aux représentants qualifiés des établissements et institutions intéressés.

ARTICLE 6.

Le Gouvernement turc agrée de prendre à l'égard des minorités non musulmanes, en ce qui constitue leur statut familial ou personnel, toutes dispositions permettant de régler ces questions, selon les usages de ces minorités.

Ces dispositions seront élaborées par des commissions spéciales composées en nombre égal de représentants du Gouvernement turc et de représentants de chacune des minorités intéressées. En cas de divergence, le Gouvernement turc et le Conseil de la Société des Nations nommeront, d'un commun accord, un surarbitre choisi parmi les juristes européens.

Le Gouvernement turc s'engage à accorder toute protection aux églises, synagogues, cimetières et autres établissements religieux des minorités précitées. Toutes facilités et autorisations seront données aux fondations pieuses et aux établissements religieux et charitables des mêmes minorités actuellement existants en Turquie, et le Gouvernement turc ne refusera, pour la création de nouveaux établissements religieux et charitables, aucune des facilités nécessaires qui sont garanties aux autres établissements privés de cette nature.

ARTICLE 7.

Les ressortissants turcs appartenant aux minorités non musulmanes ne seront pas astreints à accomplir un acte quelconque constituant une violation de leur foi ou de leurs pratiques religieuses, ni frappés d'aucune incapacité s'ils refusent de comparaître devant les tribunaux ou d'accomplir quelque acte légal le jour de leur repos hebdomadaire.

Toutefois, cette disposition ne dispensera pas ces ressortissants turcs des obligations imposées à tous autres ressortissants turcs en vue du maintien de l'ordre public.

ARTICLE 8.

La Turquie agrée que, dans la mesure où les stipulations des articles précédents de la présente section affectent les ressortissants non musulmans de la Turquie, ces stipulations constituent des obligations d'intérêt international et soient placées sous la garantie de la Société des Nations. Elles ne pourront être modifiées sans l'assentiment de la majorité du Conseil de la Société des Nations. L'Empire britannique, la France, l'Italie et le Japon, par les présentes, s'engagent à ne pas refuser leur assentiment à toute modification desdits articles qui serait consentie en due forme par la majorité du Conseil de la Société des Nations.

La Turquie agrée que tout membre du Conseil de la Société des Nations aura le droit de signaler à l'attention du conseil toute infraction ou danger d'infraction à l'une quelconque de ces obligations, et que le conseil pourra procéder de telle façon et donner telles instructions qui paraîtront appropriées et efficaces dans la circonstance.

La Turquie agrée, en outre, qu'en cas de divergence d'opinions sur des questions de droit ou de fait concernant ces articles, entre le Gouvernement turc et l'une quelconque des autres Puissances signataires ou toute autre Puissance, membre du Conseil de la Société des Nations, cette divergence sera considérée comme un différend ayant un caractère international, selon les termes de l'article 14 du Pacte de la Société des Nations. Le Gouvernement turc agrée que tout différend de ce genre sera, si l'autre partie le demande, déféré à la Cour permanente de Justice internationale. La décision de la Cour permanente sera sans appel et aura la même force et valeur qu'une décision rendue en vertu de l'article 13 du Pacte.

ARTICLE 9.

Les droits reconnus par les stipulations de la présente section aux minorités non musulmanes de la Turquie sont également reconnus par la Grèce à la minorité musulmane vivant sur tout son territoire.

No. 67.

The Marquess Curzon of Kedleston to Sir Eyre Crowe.—(Received January 15.)

(No. 204.) [By Bag.]

(Telegraphic.) *Lausanne, January 13, 1923.*

THIS afternoon was held meeting of commission to receive report of sub-committee on Ottoman Debt, cost of military occupation, and reparations. This

sub-committee has been presided over by M. Bompard, who, in absence of M. Barrère owing to temporary indisposition, occupied the chair to-day, and gave an exhibition of mismanagement without precedent in my experience. Eight weeks have passed since his sub-committee was set up, and every question involved has been discussed *ad nauseam* with the Turks both at the committee and outside it. Indeed, M. Bompard prefers the latter method, and at one time abstained, in spite of our protests, from summoning his committee for nearly a fortnight while he was holding secret conversations with the Turks to which our delegates were not invited. These conversations have had no result but to encourage the Turks in their opposition. Finally, when we came this afternoon to the meeting of the commission whose duty it was to receive the report of the sub-committee, to hear from the Turks an explanation of their grounds of dissent and then to give the decision of the Allies, M. Bompard, instead of adopting this course, proceeded to ask for the opinion and therefore to invite the renewed refusal of the Turks on each individual issue; and, when no agreement was arrived at on a single one, to suggest that the matter should be referred back again to the sub-committee and resume the labours of the past two months all over again. At this point I asked for an adjournment of the conference and proceeded to have a private conversation with M. Bompard and Garroni in an adjoining room. I there learned from them that in their view at least another fortnight should be devoted to the private conversations which they love, and that at the end, by a process of mutual concessions, which means in practice the surrender by the Allies on every point in turn, some sort of agreement should be arrived at. Then, and not till then, are any final terms to be presented to the Turks. I said at once that I could be no party to this dilatory and humiliating procedure, which would not only cover the Allies with ridicule but would keep us sitting here till the middle of February and very likely much longer, in the vain hope of catching a phantom that is always vanishing into the distance. If such were the plan adopted I said I would prefer to go home and leave these desultory and useless talks to proceed in my absence. I declined to agree to more than one additional sitting of M. Bompard's sub-committee, which should meet on Monday and report to us their agreement or the reverse on Tuesday morning. This decision was then announced to the waiting conference and we adjourned. In the course of the conversation M. Garroni, who is the most confirmed and expert protagonist of delay, announced his ideas of our future procedure, namely, to spend a fortnight in the manner described and then to invite Ismet to a private conference with ourselves at which, after already making concessions at the magnitude of which I know the Turks themselves are amazed, we are to advance another fifty paces provided they will recede fifty paces from their present demands. The fact is my colleagues are willing to go on here indefinitely. They have no other duties or responsibilities and are quite as happy here as anywhere else. Similarly the Turks, who receive an exorbitant entertainment allowance, greatly prefer the fleshpots of Lausanne to the austerities of Angora, all the more if by hanging on here they can realise their extreme demands. I endeavour to point out that my own position is rather different, but am powerless against the *vis inertiæ* of commissions and sub-committees of which I am not a member, and of whose proceedings I only hear at second hand. I will see Barrère to-morrow and try to apply the spur. But I think it would help me if I could receive from His Majesty's Government an expression of their disappointment at tardy progress, and an intimation that I cannot be spared much longer from home duties for the interminable impotence of Lausanne.

No. 68.

Sir Eyre Crowe to the Marquess Curzon of Kedleston (Lausanne).

(No. 134.)
(Telegraphic.) *Foreign Office, January 15, 1923*

FOLLOWING from Prime Minister :—

"YOUR telegram No. 202

"There is of course not a word of truth in statements you report as being made by Rickett. They are on the face of them absurd, and I have never seen Rickett and know nothing about him."

No. 69

Sir Eyre Crowe to the Marquess Curzon of Kedleston (Lausanne)

(No. 135. Secret.)
(Telegraphic.) *Foreign Office, January 15, 1923.*

FOLLOWING from the Prime Minister :—

"Your telegram No. 204

"At meeting of Cabinet to-day there was a unanimous expression of opinion that while they greatly appreciated the work you are doing at Lausanne, they are much disappointed at the delay and fear that your other duties in the Cabinet and at the Foreign Office will make it impossible for you to remain much longer at Lausanne. It is hoped, therefore, that before long you may be able to name a definite time when we can expect your return."

[E 671/1/44]

No. 70.

Lausanne Conference on Near Eastern Affairs.

(Strictly Confidential.)

COMMISSION ON THE RÉGIME OF FOREIGNERS.

Draft Minutes of the Second Meeting, December 28, 1922, at 11 A.M., under the presidency of Marquis Garroni.—(Received at Foreign Office, January 16, 1923.)

Present :

BRITISH EMPIRE.	FRANCE.	ITALY
The Marquess Curzon of Kedleston. Sir H. Rumbold.	M. Barrère. M. Bompard.	Marquis Garroni. M. Montagna.
UNITED STATES OF AMERICA.	**JAPAN.**	**GREECE.**
Mr. Child. Admiral Bristol. Mr. Grew.	Baron Hayashi. Mr. Otchiai.	M. Veniselos. M. Cachamanos.
ROUMANIA.	**SERB-CROAT-SLOVENE STATE**	**TURKEY.**
M. Diamandy.	M. Rakitch.	Ismet Pasha. Riza Nour Bey.

Also present :

BRITISH EMPIRE	FRANCE.	ITALY
Sir W. Tyrrell. Mr. Malkin. Mr. Ryan. Lieut.-Colonel Heywood. Mr. Nicolson. Mr. Forbes Adam. Mr. Leeper. Mr. McClure.	M. Laroche. M. Fromageot. M. de Lacroix. M. Laporte. M. de Percin. M. Barois.	M. Arlotta. M. Guariglia. M. Ciamarra. M. Galli. M. Salem.
UNITED STATES OF AMERICA.	**JAPAN.**	**GREECE**
Mr. Amory. Mr. Dwight.	Mr. Nagaoka. Mr. Sato. Mr. Tani.	M. Dendramis. M. Politis.
ROUMANIA	**SERB-CROAT-SLOVENE STATE.**	**TURKEY.**
M. Contzesco.	M. Djouritch.	Tahir Bey.

Secretariat-General.

M. Massigli, *Secretary-General of the Conference.*

British Empire.	France.	Italy.
Mr. Spring-Rice. Mr. Wicks.	M. Lagarde.	M. Indelli. M. Zanchi.
United States of America.	**Japan.**	**Greece.**
Mr. Belin.	Mr. Hotta.	M. Collas.

Turkey.

Rechid Safvet Bey.

Interpreter: M. Camerlynck.

MARQUIS GARRONI reminded the delegates that the Second Commission had apportioned its work between three sub-commissions. The sub-commission dealing with the judicial régime of foreigners in Turkey, under the presidency of Sir Horace Rumbold, had found it impossible to continue its work in consequence of differences of view between the Allies and Turkey.

M. MASSIGLI read the report of the sub-commission (annex).

MARQUIS GARRONI spoke as follows:

"At the first meeting which we held to deal with the question of Capitulations in a general way, my Allied colleagues and I showed that all of us were disposed to assist Turkey in her desire to put an end to the present régime of foreigners, and to bring about the complete disappearance of all the drawbacks which that régime involves as regards the taxation of foreigners and the administration of justice. It was, however, understood that the new measures to be adopted would be so framed as to ensure that foreigners who have important interests and existing rights in Turkey, and also those who may in future settle in that country, should enjoy freedom in the conduct of their business and receive the necessary guarantees as regards the administration of justice.

"In order to form an idea of the concessions which the Allies were prepared to make in this respect, one must remember that under the capitulatory régime foreigners were not liable to any taxation in Turkey except land taxes. Turkey could not impose any taxes or dues on foreigners without previously securing the consent of each foreign Power. We are prepared to agree that foreign subjects should be liable to the same dues and taxes as Turkish subjects, and also to recognise that the Turkish Government is entirely free to legislate on these questions.

"In former days foreigners and foreign companies could settle in Turkey and carry on all forms of commerce and industry there without submitting to any Ottoman laws except those to which the foreign Powers had previously signified their assent. We would be willing to agree that henceforth foreigners and foreign companies in Turkey should be directly subject to the laws of the country in the same way as Turkish subjects. When differences arose between foreigners in matters of commercial, civil or even penal law, the parties were immune from Ottoman jurisdiction, and such cases could only be tried before consular courts. We would be prepared to suppress this right to special jurisdiction and to give the Ottoman courts full authority to try foreigners; this would eliminate all those drawbacks inherent in the capitulatory régime which have been indicated in the memorandum of his Excellency Ismet Pasha.

"As regards questions of personal status, the Turkish Government has itself recognised that these must be regulated by the national law and national authorities of the interested party.

"We disagree, however, on one very important point, namely, the composition of the courts which are to try civil or penal suits affecting foreigners.

"It has been suggested to the Turkish delegation that a majority of foreign judges, recommended to the Turkish Government by the Permanent International Tribunal of The Hague, should be admitted into those courts. These judges would be appointed by the Turkish Government without any interference on the part of foreign Powers, and so the sovereign rights of Turkey would be fully respected. Besides this, consular representatives would no longer be entitled to intervene as regards procedure, sentences and execution of sentences, and the Turkish courts, composed as stated above, would be able to decide all cases affecting foreigners with complete independence.

"I am convinced that Turkey will succeed within a short time in creating a system of laws and a bench of judges which will fulfil all modern requirements; but it must be recognised that even under the new régime Turkish justice has not yet been able to give proof of its worth, and also that Turkey is still subject to-day to laws some of which are based on religious laws, while others are admitted by Turkey herself to be capable of reform, since they do not harmonise with the requirements of modern international relations.

"One must also remember that foreigners established in Turkey cannot be deprived all of a sudden of the guarantees, on the strength of which they have brought considerable capital into the country and thus contributed to the development of Turkey's resources.

"Confidence is a thing which cannot be imposed, but must be inspired. His Excellency Ismet Pasha must know that the foreign colonies are filled with apprehension at the idea that the Capitulations are to be suppressed, and it is to the interest of all that this apprehension should be dispelled.

"Therefore, while we agree to the abolition of the Capitulations, we desire that the future régime of foreigners in Turkey may be such as to inspire them with the necessary degree of confidence, especially at a time like the present, which follows a period of war and hostility.

"One may admit that the conclusion of peace should render it possible to return to the original position of pre-war relations; but it must be recognised that in the present case Turkey is not asking for a mere return to the former régime, but is proposing to establish entirely new conditions.

"We willingly agree to this change of régime, but we must devise guarantees. The guarantees suggested by the Allies possess no political character, and are of an essentially juridical nature; they respect the right of territorial sovereignty, and Turkey cannot reasonably refuse them.

"I have only dealt with the most important point on which we differ. There are other points still under discussion, but I hope that agreement will be attainable in regard to them if we succeed in solving the question which I have just mentioned.

"Changes so sweeping as those now taking place in Turkey in regard to the régime of foreigners cannot be brought into force by a mere stroke of the pen. Transitory measures are indispensable; they are adopted in all civilised States, even when it is simply a matter of some change in internal legislation, and are therefore still more necessary in the case of essential reforms in which other countries are interested.

"We therefore suggest and demand a transitory period of this kind.

"We have heard from the delegate of Japan, a country which is making brilliant advance on the path of progress, that twenty years were required by his country to pass from the capitulatory régime to the régime of freedom.

"I therefore venture to hope that this flattering example may serve the purpose of convincing the rulers of Turkey that our proposals are made in a spirit of equity and wisdom.

"I beg the Turkish delegation kindly to give due heed to the conciliatory dispositions of the Allies and to the important concessions which we would be prepared to make; I beg them to facilitate our task by modifying their present attitude, which has arrested the progress of the sub-commission's labours."

SIR H. RUMBOLD made the following speech:

"I regret to have had to report a failure on the part of the First Sub-Commission to discharge the task assigned to it by the commission. I trust I shall be able to show that this has not been due to any lack of goodwill on the part of the Allied delegates, who approached their task in a spirit of the utmost conciliation and with a genuine desire to reconcile the interests of their nationals with the fullest respect for the sovereign rights of Turkey and the legitimate susceptibilities of her Government and people.

"The Allied delegates felt that their responsibility was increased by the fact that any new system resulting from the labours of the sub-commission would probably serve as a model for future arrangements between Turkey and other Powers which have hitherto enjoyed capitulatory privileges in Turkey. They realised that the capitulatory system for which it is now sought to provide a substitute was in the past the common possession of all foreigners in Turkey with the exception of the subjects of certain Balkan States constituted in recent times. They had reason to believe, and the belief was confirmed by the declarations made by the representatives of Belgium and neutral Powers having important interests in Turkey, that the majority, if not all the States interested in this matter, were in general agreement with them on the two principles which the Allies took as their starting point, namely:

"1. That the old capitulatory system had so many defects as to make the substitution of a more modern and less cumbrous system desirable in the interests of all parties; and

"2. That any new system must, while taking full account of Turkey's desire for independence, provide adequate safeguards for the persons, property, and interests of Allied subjects.

"I would note in passing that we have present at the conference, whether as Allied delegates, observers, or special missions, representatives of practically every Allied, Associated, or neutral Power whose nationals were established in Turkey in the form of colonies before the war. There are doubtless in the world many States which had not in the past capitulatory treaties with Turkey, but none of these States, with the exception of the recently established Balkan States mentioned above, has ever had a settled colony in Turkey. It is therefore vain to quote the fact that such States did not feel the need of capitulatory privileges in the past. They did not feel such a need because they had no colonies and few, if any, commercial interests in Turkey.

"I have described in my report to the commission the manner in which the sub-commission divided up the subject matter of its deliberations. The proposals submitted to the Turkish delegation regarding *droit d'établissement* for individuals and moral persons were based on ordinary European models, notably on the France-Swiss Treaty. These proposals embodied every concession to the Turkish point of view which one civilised State would be expected to offer to another. They claimed nothing but what one civilised country might legitimately ask of another. They were made in a spirit of frankness and loyalty. The only reservation attached to them was that the Allied delegations reserved the right to consider in detail with the Turkish delegation the nature of the legislation to which Allied companies and Allied institutions like schools, &c., would be expected to submit. How were these proposals received by the Turkish delegation? They admitted the general principles, but they sought by the use of far-reaching formulæ to reserve to the Turkish Government the right of going back on these principles. They sought to deprive Allied subjects of the right of holding rural real property, a right which foreigners enjoyed under treaty for half a century before the war, and it was only under pressure that they ultimately conceded as a favour what had so long been an acknowledged right. They sought, to give only one other specific example, to reserve the right to limit the exercise of any avocations which the Turkish Government might like to reserve to their own nationals. They indeed stated verbally that this right would not be abused, but the formula which they suggested for inclusion in a treaty would enable them not only to deprive foreign colonies and institutions of the services of their own doctors and other professional men, but to maintain and extend monopolies of services essential to commercial enterprise like lighterage and porterage.

"In the matter of personal status, the Turkish delegation admitted that this must be determined by the national law of the Allied subject concerned, but they at first contended that this law must be administered by the civil courts of Turkey. It was only under pressure that they agreed that matters of personal status might be dealt with by the national courts of the party, and this concession, when made, was accompanied by the restriction that those courts must operate outside Turkish territory. The Allied representatives felt that they had gone very far to meet Turkey's wishes in expressing readiness to do away with their consular courts for all other purposes. They were all the more disappointed to find that the Turkish delegates wished to deprive them of the use of consular courts for matters of personal status, nor was it flattering to their sense of honesty to be told that this attitude was based on fear lest the consular courts should usurp jurisdiction in other matters

"It was not, however, on these questions, regarding which an agreement might still have been reached, that the sub-commission broke down. It was on the question of the judicial régime for foreigners in matters other than personal status. This question had received the most anxious consideration of the Allied delegations. They were willing to abandon the old system of mixed commercial courts, of control by dragomans, and of consular courts, of all of which the Turkish delegation has so bitterly complained. They were not only willing but anxious to devise a substitute compatible with Turkey's sovereign rights. They felt that it was not too much to ask that whatever was substituted for the old system should provide those safeguards for foreigners which European and not merely Allied opinion unanimously considers necessary, having regard to the present state of Turkish legislation and the present level of the Turkish judiciary. They sought inspiration in the past, but they were compelled to devise a system novel in its main features, for the very reason that it must be a system entirely respectful of Turkish independence. They were prepared to consider any Turkish counter-proposal in a large and conciliatory spirit. They foreshadowed their own proposals in a *questionnaire*, which they handed to the Turkish delegation on the 13th December. To this the Turkish delegation did not deign even to return a written reply. They refused to entertain the Allied proposals in any shape or form. They refused to listen to a suggestion by the Japanese delegate that they should accept the system providing safeguards for a limited period. They refused to consider anything at all, and simply insisted that their legislation and their judicial administration offered all the guarantee that foreigners could ask for. It was on this that the sub-commission broke down, for it was useless in face of such an attitude to proceed further with the question of *droit d'établissement*, or to go on to the important reserved question of the régime for scholastic, religious and charitable institutions.

"By what arguments, apart from their unsupported statements regarding the satisfactory nature of Turkish law and judicial administration, do the Turkish delegation support their contention that the Allies can safely renounce the secular immunities of their nationals without asking for guarantees in return? They state that certain companies with foreign capital but of Turkish nationality have long existed in Turkey without capitulatory privileges; that foreign owners of real property have not suffered inconvenience from being assimilated to Turkish subjects in respect of such property; and that there have been no complaints on the part of foreigners generally since September 1914, when by an unilateral Act, the validity of which was contested by all the Powers, the Turkish Government abolished *de facto* the capitulatory régime. The first two of these arguments relate to the experience of a limited number of companies and persons. The companies referred to are powerful corporations, which work under special concessions and which certainly had means of meeting difficulties which are not open to the ordinary merchant or small commercial company. Foreign owners of real property are comparatively few in number, and they are as a rule careful to keep out of the law courts, where, if they have cases, they suffer the same difficulties and delays as the Turkish subjects to whom they are assimilated. The third argument is that there have been no complaints since September 1914. There has been no opportunity since that date of judging in normal and settled conditions of the operation of Turkish law and judicial administration in regard to foreigners without the accompaniment of safeguards. The Germans and Austrians enjoyed a position in Turkey during the period of hostilities which undoubtedly gave them opportunities for safeguarding their interests by special means. Even so there is some reason to believe that they were dissatisfied. The neutrals had perforce to keep silence, but that they were dissatisfied is proved by the fact that they revived their consular courts after the armistice, and sought to participate in the benefits of the Mixed Judicial Commission set up last year by agreement between the Allied Powers and the Constantinople Government. The Allied Powers themselves had few subjects in Turkey during the period of hostilities. Such few as they had were hampered in every way. After the armistice the Allies protected them against any attempt on the part of the Turkish authorities to exercise jurisdiction over them. No one has had during these eight years an opportunity of testing in any normal fashion those qualities which the Turkish delegation claim for the law and the judiciary of Turkey.

"It is certainly not at this moment that the Allied Powers should be asked by Turkey to accept the assurances of the Turkish delegation as sufficient to dispense them from their duty to obtain safeguards for their nationals. The arbitrary proceedings of the Turkish authorities in regard to foreign persons and foreign interests

on their re-entry into Smyrna have aroused the gravest apprehensions in all Allied countries. Within a short time of their return they seized the Smyrna-Aidin Railway system, and, when eventually they were induced to return it, they alleged as a pretext that it had been abandoned, although it was notorious that the director general of the railway was one of the few British subjects who had remained in Smyrna. They destroyed confidence and made banking operations practically impossible by various measures, one of which was the sequestration of all moneys belonging to Greeks and Armenians in all banks. They requisitioned foreign property freely, and they even threatened to apply to the property of foreigners who had left Smyrna temporarily that arbitrary measure known as the "Law on Abandoned Property." Their attitude towards their own subjects has been such that numbers of Jews, members of a non-Moslem community of which the Turkish delegation themselves admit that Turkey has never had reason to complain, are liquidating their property and leaving Smyrna.

"When we have used the example of Smyrna in the sub-commission, we have been told by the Turkish delegation that everything that has happened there has been due to abnormal circumstances. The conditions at Smyrna have been in truth abnormal for reasons with which the world is familiar. There might have been some force in the Turkish argument if the acts of which Allied subjects so bitterly complain had been confined to matters of military necessity. But it was not so. Too many of these acts, the measures taken in regard to the banks, for instance, were of a nature to destroy any remnant of normal conditions which might remain. It was the duty and it would have been to the interest of the Turkish authorities to do their utmost to reassure foreigners. They have wholly failed to do so.

"Even in Constantinople, a place still under Allied occupation, the apprehensions of Allied subjects have been stimulated to the highest degree by the proceedings of the Turkish authorities since the Angora Government took over the civil administration. The sudden and arbitrary introduction of regulations devised for Anatolia and unsuitable to a great capital has produced a dislocation of trade. Foreign firms have no longer the courage to import from abroad. The import trade in cotton goods, a staple trade between Great Britain and Turkey, has been shaken to its foundations. Foreign insurance companies are filled with anxiety by the demand for a heavy deposit, a demand unaccompanied by any revision of the law on insurance, which was the subject of so much grave criticism before the war. Foreigners have not even that sense of personal security which is the first condition of their continuing to carry on business in Turkey. Some weeks ago a respectable British subject, named Brooks, who had been set upon by roughs in the street was arrested by the police whom he called to his assistance, was treated in the most insulting fashion, and was not released until the following day. A single incident of this kind, while Constantinople is still occupied by Allied troops, is regarded by all Allied subjects as an augury of worse to come when Turkish authority has free play in Constantinople. Their apprehension may be well or ill founded, but it cannot be allayed by mere assertions that the operation of Turkish law will hence forward assure to Allied subjects the protection which they have hitherto found in their secular immunities. In the countries of the Allied Powers a Turkish subject is safe from arbitrary acts of the above description.

"At a time like this, foreigners in Turkey judge by what they actually see, and judge of their own future without safeguards by the treatment they have seen meted out to native non-Moslems, nay to Turks themselves who have incurred the displeasure of the Government. It is not in such a time of social and economic crisis, it is not when Turkey is engaged in so many new experiments from which foreigners have already suffered so much at a place like Smyrna, where they have been established for centuries, that those foreigners will be content with assurances that they can place all their faith in Turkish law as it exists at present or as the Grand National Assembly may modify it or in Turkish judges as they know them to day. It is not at such a time that the Allied Powers can ask their own nationals to dispense with safeguards, or jeopardise the position of other Powers in this matter by setting an example of complaisance."

ISMET PASHA made the following statement:

"The First Sub-Commission, which was required to study the status of foreigners in Turkey, has at its various meetings examined two principal problems: the conditions under which foreigners can settle in Turkey and the judicial régime.

"After some general observations by the various delegations, the first of these two questions was referred to a committee of legal advisers, but I will call attention to one essential point in the report of the sub-commission, concerning the nationality of companies; I feel bound to make reservations on this subject, as there has perhaps been a misunderstanding. This question will of course be examined conjointly with the other clauses respecting the settlement of foreigners.

"As regards the second question, a wide divergence of opinion was found to exist between the Allied and Turkish delegations. By the Allied scheme it was proposed to introduce into the Turkish courts an element consisting of foreign judges, to be proposed by the Permanent Court of International Justice, whose task it would be to collaborate with the Turkish judges trying in all suits affecting nationals of the Allied Powers. A definite part was also to be assigned to them in the drafting of schemes for reform.

"The Turkish delegation were greatly astonished to find themselves confronted with such a proposal, the purpose of which is to institute a régime clearly incompatible with the independence and sovereignty of Turkey. Their surprise was still greater when they found that the proposed restrictions on Turkish sovereignty would be far wider in scope than those arising out of the Capitulations, the iniquity of which is generally admitted.

"The administration of justice is one of the essential attributes of sovereignty; and therefore any kind of interference in the exercise of that power, in the application of the law or in the organisation of the courts, and any restrictions on the appointment of judges are infringements of sovereignty to which no independent State could agree.

"It would be a violation of Turkish sovereignty to oblige the Turkish Government to select foreign judges out of a list presented by an international organisation, even were these judges to be in the pay of the Turkish State and to exercise their functions in its name.

"At the First Sub-Commission the Allied delegations stated the reasons which led them to propose this system. These reasons were based on certain considerations relative to Turkish law and the qualifications of Turkish judges.

"The Turkish delegation did not fail to demonstrate in reply that their was no ground for such anxiety. They maintained that the present state of Turkish law is such as to meet all the requirements and necessities of modern life. As Ismet Pasha has already had occasion to state at the first meeting of the Second Commission, Turkey set to work, more than sixty years ago, and has effected important reforms in her legislation by reorganising her courts and enacting laws on the lines of European laws. Turkey has never ceased to follow the progress effected elsewhere in judicial matters; without letting herself be discouraged by the obstacles placed in her path, she has never hesitated to persevere in the pursuit of reform and in the improvement of her judicial institutions.

"It was alleged at the sub-commission that the Turkish Civil Code rests on a religious basis and does not meet present-day requirements. The Turkish delegation pointed out that the Turkish Civil Code, from whatever sources it may be derived, had no religious or theocratic character; that there was no appreciable difference between it and the codes of foreign countries as regards the fundamental principles and the rules of law enshrined in it; and that, as no State has a Civil Code altogether identical with that of another country, one could not in any way detract from the value of the Turkish code by pointing out certain differences between it and other codes.

"It is also necessary to observe that even under the capitulatory régime, and even before the enactment of the laws now in force (a far more important point), the Turkish courts used to apply the provisions and rules of law then existing in the country to Turkish and foreign nationals alike.

"The Capitulations, which made express provision for the application of the Shariat Law, only introduced one departure from the fundamental laws, namely, as regards the necessity of producing written proof and not oral testimony in cases concerning debts. Now, for a long time past the Turkish Code of Civil Procedure has made this the general rule, and only written proof is accepted, save in claims for sums of less than 1,000 piastres.

"Since Turkish laws have constantly been applied to foreigners for centuries, why should it be proposed to aggravate the present situation? And why should

it be desired to apply laws other than those now in force, including the Turkish Civil Code, even in Cyprus, where the capitulatory régime disappeared long ago?

"The Turkish delegation cannot believe that it is the intention of the Allied Powers to institute a system more burdensome than the capitulatory régime.

"As regards the qualifications of Turkish judges, it was stated at the sub-commission that, while their integrity was beyond dispute, they did not succeed in applying the laws properly, however modern and thoroughly perfected those laws might be. This is the only reproach levelled against them, and moreover it is quite unjustified. It is Turkish judges who have exercised judicial functions for centuries without the collaboration of any foreign elements. The institution of the first mixed court of Constantinople is of comparatively recent date, and there is no trace of it in the Capitulations. This court was an irregular extension of the chambers of commerce, consisting of notables, the original purpose of which was to apply the customs then in force in cases of dispute between traders; and until quite recent times it was always these traders who sat in the first court. We think there is no need to dwell on the fundamental defects of this arbitrary organisation, and the unhappy results—harmful even to the interests of foreigners—which it brought about. What is more, even after this mixed court had been set up, the most important lawsuits respecting house property, leases and rents, all lawsuits of large companies, with foreign capital, and all penal suits remained solely within the competence of courts composed of Turkish judges alone. Is not that sufficient proof of the high character and qualifications of these judges?

"That is not all. How can one ignore the difference between Ottoman judges of past centuries and those of the present day, who have been chosen for the past forty years among legal graduates holding diplomas of the faculty of law, a faculty modelled upon those of Western countries and possessing the same curriculum? It cannot be argued that the level of instruction and knowledge among the present-day Turkish judges is lower than that of former judges, who only applied the Shariat Law. Also it would be quite unjust to regard the quality of our judges as inferior to that of the judges in neighbouring countries, where there is no question of introducing a special judicial system. It cannot be denied that the introduction of foreign elements into the Turkish judiciary in any form whatever would constitute a grave infringement of Turkish sovereignty. It must be repeated that, even in the Capitulations, no provision of this kind exists. The Turkish delegation have every right to hope that the Powers do not intend to propose to them a régime which would perpetuate, under a disguised name or form, an aggravation of the capitulatory régime. It is necessary to emphasise the point that what Turkey condemns, with a view to recovering her independence and sovereignty, is not a mere word, but a system and an entire principle.

"Turkey is requested to furnish guarantees for Allied nationals; but these guarantees already exist in Turkish laws and institutions, just as they exist in those of other independent States; and no distinction is drawn between Turkish nationals and foreigners, who are entitled to the same protection as regards both their persons and their property, as Turkish subjects. There is therefore no justification for preferential treatment of foreigners, which none of the Powers represented here could tolerate in its own case.

"Apart from this, more than half of Europe, including Italy, has long since recognised the soundness of the Turkish argument; and the régime of general international law which has been operative in Turkey since 1914, without the conclusion of any convention whatever, has never given rise to any complaint on the part of the very numerous nationals of neutral States, or on that of the Allied nationals, who remained in Turkey. The experience acquired during this long period of eight years has proved that Turkish institutions are entirely adequate and contain all the guarantees necessary for safeguarding the interests in question.

"The Turkish delegation consider that they have given ample proof of their desire to reach a solution and of their conciliatory disposition, by leaving the conduct of cases respecting family law and capacity to national courts of the countries to which Allied subjects belong.

"In all the financial, economic and legal questions laid before the conference constant allusion is made to the necessity of a period of transition. The Turkish delegation are obliged to state publicly, addressing the public opinion of the whole world, that all the proposals for the establishment of such a period in connection with any of the above-mentioned questions are worse than the old régime (the

flagrant injustice of which is no longer denied by anyone), and contain provisions even more incompatible with the sovereignty of Turkey.

"The most striking example of this is the proposal made to the Turkish delegation regarding the judicial system.

"At the time when the capitulatory régime alone was operative, the dragomans of the consulates came to the courts merely as listeners and had no right to take any part in the proceedings at all. It is now proposed that foreign judges should sit in the Turkish courts and even form the majority on the bench.

"Moreover, any period of transition, whatever form it may take, is useless; and when a State possesses institutions and laws its independence and right to live must be recognised.

"As regards the demand for guarantees in judicial matters in favour of foreigners, the best proof of its injustice is that these guarantees have not been required of any of the recently constituted States. It is also unjustifiable in so far as it refers to the Turkish judges and to the laws now in force.

"Not only have the Balkan States been free from all capitulatory restrictions ever since they came into existence, but also no such régime has been set up in the States created after the great war, for instance Poland, Czechoslovakia, Lithuania, Esthonia, &c. Such a régime does not even exist in Greece.

"As Turkey forms an independent nation and State, she cannot be expected to accept proposals which are unjust and constitute an outrage on her sovereignty.

"In the speeches which have been delivered and in the explanations furnished subsequently, allusion has been made to certain examples which were calculated to diminish the prestige of the Turkish judiciary and police. These accusations, which are based on no concrete and definite fact, cannot give a precise idea on any subject whatever; nor can any comparison be drawn between the acts which gave rise to these accusations, and the conduct, attitude and proceedings of the foreign authorities at Constantinople during the last few years. The aggressive acts which Turks have had to endure in their own country at the hands of foreigners have been of such a nature that, if one had to base one's knowledge of the civilisation and administration of certain countries upon these acts, one would be entitled to doubt the very existence of any laws at all in the States to which these foreigners belong.

"The Turkish delegation have no fear in calling upon the public opinion of the world to judge and compare the treatment accorded to foreigners in Turkey by the Turks, both in the past and at present, and the cruel and arbitrary treatment to which the Turks have been subjected by foreigners at Constantinople and elsewhere."

M. BARRÈRE said that it was impossible for the French delegation to accept the blank refusal with which the Turkish delegation had met the Allied proposals. The French delegation had agreed to renounce the Capitulations because they considered that some features of that régime were out of date, and that others—especially those respecting financial matters—were in part unjust; but at the same time, they had clearly indicated that they expected the Turkish Government to set up a régime which, while not bearing any resemblance to the capitulatory system, would give foreign nationals adequate guarantees as regards both civil and criminal justice. It would, therefore, be impossible for the French delegation to consent to the suppression of the Capitulations if sufficient guarantees were not furnished by the Turkish Government.

These guarantees were defined with great moderation in the scheme presented by the Allies, and so M. Barrère was much surprised to hear Ismet Pasha say that the proposed régime was worse than the Capitulations themselves. No proof had been produced in support of this unexpected statement. He desired to make an urgent appeal to the Turkish delegation not to persist in maintaining a position where it would be impossible for the Allied delegations to meet them.

BARON HAYASHI wished to make a few observations. When the Allied Powers presented their proposals he had thought that their scheme was not in conflict with the sovereign Power of Turkey, that they had shown a conciliatory spirit, and that they had framed their proposals in such a form as could not offend Turkish susceptibilities. But after listening to Ismet Pasha's speech, he feared that the Allied Powers still had grounds for considerable anxiety as regards the guarantees which their subjects required. He hoped that the Turkish delegation would be good enough to show the Allies, not in words, but in deeds, that

foreigners would be secure in coming into contact with Turkey, by giving certain guarantees for which they asked. Some little time since he had explained that years ago Japan was in the same position as Turkey, and that a number of years had elapsed before Japan was able to secure the full consent of the Powers to the abolition of the capitulatory régime. She had finally succeeded in doing this with the assistance of the European Powers. Why could not Turkey adopt a similar attitude? Turkey was now coming into new relations with Europe and the rest of the world, and required the sympathy and help of other countries; it was most desirable that she should see her way to coming to an agreement on this important question. If the Turkish delegation could not agree with the Powers on certain details, why did they not propose some counter-scheme? To put the matter in an extreme form, the Allies were not assembled merely to be dictated to by any one party. Some days since he had said to Ismet Pasha that the key to the settlement of this question was in his hands; if he would show a slightly more conciliatory spirit, the whole difficulty would be solved. He sincerely hoped that Ismet Pasha would consider the matter in this light.

MR. CHILD made the following statement:—

"The United States has an independent position which is based on two important and serious considerations.

"The first is the sanctity of obligations. The United States enjoys certain treaty rights which are obligations of Turkey. In 1914 these obligations on the part of Turkey existed towards many nations. The United States is one among these nations whose rights under these obligations cannot be set aside by Turkey alone except by repudiation. We do not believe that Turkey desires to follow the unsuccessful example of the nations which base their independence upon the mere repudiation of international obligation.

"The second consideration is the fundamental equity which foreigners, such as the nationals of the United States, who have invested their personal or material fortunes in Turkey, may expect from the Turkish Government. The protection upon which they have counted cannot be withdrawn without the creation of obvious injustice. All the world, including, I believe, the Turkish people themselves, would look upon this injustice as an offence to those principles which create international faith and fidelity so necessary for the functioning of the social security of the world and the co-operation of economic forces.

"The representatives of the United States understand that in respect to these rights, created by treaty or by usage, the position of the Turkish delegation has been founded upon a desire for complete freedom from any restriction of the sovereignty and independence of Turkey.

"For the maintenance of Turkish sovereignty we have sympathy. For its progress we have much hope. We have observed that we are not the only representatives of nations here who have been inclined to accord to Turkey the recognition of her legitimate aspiration to be free of unwarranted interference. We have not, however, refrained and we cannot now refrain from stating our view that sovereignty not only creates a duty for zealous guardianship of rights, but, in its highest sense, creates also the duty for an equally zealous guardianship of its obligations. It is our view that sovereignty, in the sense of the prerogatives of a modern Government, is as often expressed in terms of co-operation with the outside world—such, for instance, as is involved in the presence here of his Excellency Ismet Pasha to make peace—as it is expressed in mere assertion of inviolability and sanctity. In the modern world a sovereignty which has its eyes only on its sanctity is a sovereignty of isolation. It is our belief that only those sovereignties are progressive which have the confidence and readiness to arbitrate, to co-operate and to contribute to practical ends.

"One of these practical ends, to which the sovereignty of Turkey would devote itself under natural developments would be the substitution of new treaties with their rights and obligations for old agreements which might not be considered to meet the need of the times or of justice, or of new conditions.

"We can believe that in this attempt Turkey will find a fair and generous treatment from other nations, including our own, in exchange for a fair and generous treatment accorded by Turkey. But if her policy should be along other lines, it is difficult to foresee better results than the world has observed in recent cases of Governments which have attempted to prosper on the policy of repudiation.

"The position of Turkey towards the juridical status of foreigners and their property in Turkey, as we are now led to understand it, is that Turkey asserts that she possesses a juridical system including not only laws, but their application in her courts which will satisfy other nations and their nationals. Unfortunately, this satisfaction does not appear at this moment to be the fact. The fact appears to be that other nations and their nationals, no matter how ready they may be for means for co-operation with Turkey, are testifying that Turkey does not offer either the continuance of existing rights or substitution for them of a system which will safeguard foreign persons and property in Turkey. The security may exist in the mind of the Turkish Government, but the vital necessity is that foreigners themselves must feel that it exists.

"To the representatives of the United States it appears clearly that even if no question of obligation on the part of Turkey existed as indeed it does foresight would cause Turkish sovereignty to express itself in a programme dealing with the juridical status of foreigners in such a manner as would invite and not repel foreigners from that intercourse upon which the prosperity of nations is founded.

"With a full appreciation of the legitimate aspirations of Turkey for an inviolate sovereignty, we point out that treaties which will give foreigners a status of security in Turkey can deprive Turkey of nothing, and indeed would be the very foundation for her economic future."

LORD CURZON spoke as follows:—

"I should like to make some observations on the debate to which we have just listened. Four speeches have been made of an exceptional character. I listened with much disappointment and great regret to the speech of Ismet Pasha, which seemed to me the most hard and uncompromising that he has delivered since this conference began. He conceded nothing himself and accepted nothing from us. None of the concessions or suggestions made by the sub-commission seemed to him of any value, and I was left with the impression that the Turkish delegation do not desire to come to any agreement upon this subject. Ismet Pasha has repeatedly assured me, both in public and in private, of his earnest desire to see our protracted proceedings result in a treaty honourable to both parties. How can that endeavour possibly be facilitated by such a speech as he has made this morning?

"I next turn to the speeches which followed. M. Barrère, who has throughout shown a spirit of the utmost courtesy and conciliation to all, and especially to the Turkish delegation, felt called upon to make a pronouncement more weighty than any which he has yet delivered. His words were not only those of weight but those of warning, and indicated that on this matter the French delegation cannot recede. I associate myself entirely with what he said upon the subject.

"Baron Hayashi then renewed the solemn appeal made by him some weeks ago. He spoke from the experience of a great country which has passed through precisely the same transitional stage as that denounced by Ismet Pasha to-day, and appealed to the Turkish delegation not to reject the advice which his experience and authority enabled him to give.

"The chief United States delegate then made a declaration of a kind which cannot be ignored, a declaration which will make a great impression outside. It comes from a distant but very powerful country, detached from all European quarrels and troubles. He stated in clear terms the general principles which ought to regulate the relations of civilised peoples, and defined the true conception of independent sovereignty—not the false image evoked by the suspicions of the Turkish delegation. He criticised in moderate terms the present judicial system of Turkey, and he insisted on the absolute necessity of making a new treaty and new arrangements.

"These speeches will go through the world, and will make a profound impression. If their spirit and tone are contrasted with those of the Turkish delegation, will anyone have the slightest doubt on which side the verdict of public opinion will be given?

"What is the exact position which will be presented to the whole world to-morrow morning? A sub-commission, which has been sitting for weeks, has shown the utmost readiness to make large concessions on every point, and in particular on the main point around which much of the controversy turns—the judicial privileges enjoyed by foreigners in Turkey. The delegations have been

willing to surrender all the old privileges in respect of civil courts, commercial courts, dragomans, &c., and have only asked in return for some substitute which will give the necessary guarantees for the protection of life and property and the pursuit of industry. They have made proposals, asked questions, and suggested different systems, one of which, proposed by the president himself, was for a provisional régime during a limited period. None of them is any good; they have all been thrown on one side: there is either no reply or else absolute refusal. On what ground is that refusal based?

"Ismet Pasha's reply took a three-fold shape. In the first place, he repeated again and again the old argument regarding the infringement of Turkish sovereignty. I am tired of replying to that argument. Cannot the Turks realise that theirs is not the only sovereignty in the world? Every delegate here represents an independent sovereignty at least as important and as jealous of its privileges and rights as Turkey. Do we object to foreign judges being called upon from time to time to decide affairs affecting our sovereignty? Not in the least. I could give a score of illustrations on matters affecting the territories, frontiers and interests of Great Britain in which we have been quite willing to submit disputes on these subjects to the arbitrament of foreign judges. Ismet Pasha maintains that it is inconsistent with Turkish sovereignty that foreign judges should ever pronounce on questions arising within the Turkish State. Some fifty years ago there was a case of vital interest to Great Britain which brought her into conflict with the United States—that of the 'Alabama'—after the American Civil War. Of the five judges in the court only one was British, the others being American, Brazilian, Italian and Swiss. The verdict went against us, and we had to pay 15,500,000 dollars. But no one got up in the British Parliament to complain of a violation of British sovereignty.

"I do implore Ismet Pasha to abandon this argument, to wrap up and put away in a cupboard this phantom of Turkish sovereignty which none of us wants to injure. Let us look facts in the face. I will not refer to the sovereignty question any more.

"In the second place, Ismet Pasha asked why any different system should be required in Turkey from that which is applied to the neighbouring countries. The answer is very simple: there is no analogy. In Turkey we are dealing with foreign colonies of great size and importance, established for centuries and deeply rooted in the soil, which have enjoyed a particular form of protection. In the neighbouring countries the colonies are small and do not represent anything like the same stake in money or in industry; and they went to those countries knowing exactly the conditions with which they would meet. Again, in the smaller countries near Turkey, the civil law did not take its rise from the Moslem law. Ismet Pasha says that the Moslem law as embodied in the Civil Code is not religious. The Turkish Civil Code may not deal with religious affairs, but it differs from that of the neighbouring States in one fundamental respect, viz., that it is the product of theological jurists and is based in the last resort on Moslem religious law.

"In the third place, Ismet Pasha repeated the assertion that the judicial system of Turkey is excellent and indeed almost perfect, that Turkey has an admirable code and an excellent bench of judges and magistrates. Unfortunately everybody knows that this is not the case. The important thing is not what you think of your own judicial system, but what other people think of it, and, if the latter think it imperfect, their opinion will prevail though you repeat your opinion a hundred times. A King of England, George IV, repeated for many years that he had led the charge of the Guards at Waterloo and ended by believing that he had done so, though in fact he was more than 100 miles away at the time. Nobody else believed him, and similarly it is no good for Ismet Pasha to continue saying that the Turkish courts are perfect. Presently I will tell him why.

"I have no desire to bring any charge against the integrity of the magistrates and judges at Constantinople, but everybody knows that they are not educated to the highest standards of modern judicial science. It is notorious that they are liable to pressure from outside, that they are underpaid, which is incompatible with good administration, and that their procedure is hopelessly dilatory. Everybody knows that the police in Turkey are badly officered and badly paid and that their methods are often very arbitrary. In fact, the machinery of justice in Turkey is admittedly defective and prolonged delays are common.

"I believe that every foreigner in Turkey likes the Turks, who are, if I may

venture to say so, a very attractive people. I have never met any English resident in Constantinople who did not have a great personal regard for them. But the more you like them, the more do you become aware of the imperfections of their system, which are not denied by Turks themselves whenever you talk to them. I will give some instances of the kind of thing which foreign commercial interests in Turkey fear. Under the existing police system arbitrary arrests and domiciliary visits take place, sometimes upon a mere denunciation without any warrant at all. People are often detained in prison for a long time before trial; I know of cases in which Turkish subjects have been detained for periods of three to eighteen months. The same thing applies in civil and in commercial matters; long delays take place, and cases sometimes last for as much as ten years. The Turkish Commercial Code is well known to be out of date and very defective, and the Civil Code, being largely based on Moslem law, is not adequate to supply the defects of the Commercial Code.

"I will only put one more consideration before the Turkish delegation. It is indisputable that the prosperity of Turkey rests largely on the foundation of foreign trade. Great business houses—English, French, Greek, Armenian and no doubt others—have established commercial relations at Constantinople and invested large sums of money there. While they have made sufficient fortunes for themselves, they have contributed very largely to the prosperity and wealth of Turkey. If you decline to consider any revision of your judicial system and stand, as Ismet Pasha did this morning, on an absolute refusal, believe me, you will bring that system down with a crash. Just before I came to Lausanne several traders connected with Turkey and Constantinople held a meeting in London. They said that, if in consequence of the disappearance of the Capitulations their houses and premises were liable to be visited by Turkish officials, if they were liable to be brought up before Turkish courts on charges not necessarily fair by virtue of warrants issued by Turkish magistrates, to be detained pending trial in Turkish prisons, and possibly in the end to receive sentences carrying still longer detention in conditions fatal to their health, if not to their lives, not one of them would return to the country.

"The Turkish delegation may think that I have been pleading on behalf of British or foreign traders, but I am doing nothing of the sort. The matter of which I am speaking concerns the future prosperity of Turkey as much and even far more than of any foreigners. Turkey is in no sense a self-contained country; she cannot keep up a fair standard of life with her own resources. Agriculture, one of the chief Turkish industries, is doubtless capable of great development, but it cannot progress without machinery, transport, roads, railways, waggons, locomotives, &c. Turkey cannot even feed herself without importing many of the requirements of civilised life. The whole movement of the 20th century is towards the development of industrial resources, but Turkey can never become an industrial country without outside assistance. Her people have not the necessary technical and business aptitudes for such industries as mining or manufacture. She is therefore obliged either to import manufactured goods from abroad or to engage foreign control for the development of her own industries. Unless you have a judicial system which makes life possible for the European traders and skilled advisers whom you require and for commercial travellers to go about your country, Turkey will gradually be reduced to the condition, not of a great and prosperous nation, but of a little country lost in the wastes of Asia. It is therefore just as much in the interests of Turkey as of any foreigner to agree to such protection for foreigners as will be provided by the revision of the Turkish judicial system.

"Surely the Turkish delegation cannot afford to disregard the very serious declarations made by the various speakers this morning. There has been no word of menace and no word of suppliance, but the Turkish delegation have heard from the delegates of the other Powers, in words which will be heard and echoed and endorsed far outside these walls, a number of statements and warnings which cannot be ignored. I should be very sorry indeed if Ismet Pasha's speech of this morning were to be his last word on the subject; if it were so, I really do not see what is the good of our going on. I beg the Turkish delegation to consider very carefully what has been said, and perhaps at a later date to give us the opportunity of hearing their revised views on the subject."

M. BOMPARD observed that the Turkish delegation had heard the views of the various delegations respecting the Capitulations. M. Barrère had given the

opinion of the President of the French Republic. M. Bompard wished to add a few words which his experience of Turkish affairs and his sympathy for Turkey entitled him to pronounce. He had lived in Turkey for many years, not only in days of happiness, but also in days of trial. He had made every effort to alleviate the misfortunes of the Turkish people. He had shared their joys and their sorrows. That was why he felt that he had both the right and duty to address the Turkish delegation in tones of friendly candour.

There was no disguising the fact that the question before the conference was extremely grave. Unless it was solved, peace could not be established. The capitulatory régime was doubtless defective, and in many respects out of date. Its revision and even its abolition were necessary. M. Bompard had held this view before the war and had never concealed it; but no one could imagine that the suppression of the Capitulations could be accomplished without the necessary guarantees being given to foreigners. The system proposed by the Allied Powers respected Turkey's sovereignty more scrupulously than any other. It was incomprehensible that anyone should express a contrary view. By taking as their basis the presence of foreign judges in the courts where suits concerning foreigners were to be tried, the authors of this system had endeavoured to give all possible heed to the claims of Turkey. M. Bompard feared that the ultimate effect of the loudly proclaimed desire of the Turkish delegation to safeguard the sovereignty of their country would not be to guarantee the independence of Turkey, but to bring about her isolation. That isolation had existed in the 15th and 16th centuries, when Turkey lived apart from the rest of the world; it was for the purpose of putting an end to that isolation that Sultan Suleiman the Magnificent accepted the régime of the Capitulations, which was destined to permit Turkey to enter into contact with Europe.

M. Bompard requested the Turkish delegation to examine the Allied proposals in a different spirit from that in which they had examined them hitherto. Surely Ismet Pasha would recognise that these proposals did not infringe Turkey's sovereignty, but, on the contrary, were in harmony with the principle of justice which lay at the root of relations between civilised nations. It was M. Bompard's hope that Turkey prided herself on belonging to that class of nations.

ISMET PASHA said that in order to answer all the speeches and reports which had been read at the present meeting he required to study them in detail and as a whole; and as he did not wish to delay the discussion he asked that the next meeting might take place as soon as possible.

MARQUIS GARRONI said that the commission had taken note of Sir Horace Rumbold's detailed report and supplementary observations thereon; it had then heard Ismet Pasha's statement and the important speeches delivered by M. Barrère, Baron Hayashi, Mr. Child, Lord Curzon and M. Bompard. The general result of the discussion was to bring out the opposition existing between the Allied Powers and the Turkish delegation. The former desired the welfare of Turkey; they were willing to facilitate the economic restoration of that vigorous people, and with that purpose in view had submitted proposals whereby judicial guarantees would be substituted for the capitulatory régime. The latter had refused to listen to these reasonable proposals. Marquis Garroni had no desire to prolong the debate, but wished to invite special attention to the statements made with a view to discovering a ground for compromise between the two parties. In every conference it was necessary for each party to make concessions on some part of his claims in order to draw nearer to the point of view of the other side and thus arrive at a practical and useful result. Marquis Garroni referred to these proposals because he hoped that the Turkish delegation would follow the example of the Allied Powers and endeavour, during the period of reflection for which they had asked, to seek such a solution as would make it possible to attain the object which all members of the conference had in view.

(*The commission rose at* 1·10 P.M.)

Annex.

Rapport de Sir H. Rumbold, Président de la première Sous-Commission de la deuxième Commission, au Marquis Garroni, Président de la deuxième Commission

La première Sous-Commission de la deuxième Commission a tenu six séances les 7, 9, 11, 13, 14 et 20 décembre 1922, avec assistance des délégations spéciales des Puissances neutres, qui furent entendues à la première séance.

La sous-commission divisa les questions soumises à son examen en quatre parties, à savoir :

(*a.*) Droit d'établissement des personnes physiques ;
(*b.*) Droit d'établissement des personnes juridiques et morales ;
(*c.*) Statut personnel des étrangers ;
(*d*) Régime judiciaire à appliquer aux étrangers pour les matières autres que le statut personnel.

À la première séance, le président fit part à la délégation turque, sous forme d'un questionnaire, dont copie ci-jointe, des principes généraux qui, dans l'esprit des Alliés, devaient servir de base pour la solution des différentes questions surgissant sous les chefs (*a*), (*b*) et (*c*).

La délégation turque ayant répondu à ce questionnaire par une déclaration écrite, dont copie également ci-jointe, ces deux documents firent l'objet d'une discussion générale, qui a occupé la deuxième et la troisième séances. Cette discussion révéla l'existence d'un écart considérable, mais non fondamental, entre les deux points de vue, écart diminué heureusement par certaines concessions de part et d'autre. Notamment, la délégation turque concéda au cours de la discussion le droit des personnes physiques étrangères d'acquérir des propriétés immeubles rurales en Turquie, et précisa qu'une société étrangère, dûment constituée dans son propre pays, pouvait se prévaloir de sa nationalité étrangère quand même ses opérations principales se feraient en Turquie.

Les divergences de vue sur les autres points ne paraissant pas avoir un caractère fondamental, il fut décidé à la fin de la troisième séance d'inviter les conseillers légistes de continuer l'examen des deux textes, en cherchant des formules aptes à concilier les points de vue alliés et turcs.

À la quatrième séance, le président fit part à la délégation turque de trois questions relatives au chef (*d*), en la priant de bien vouloir préciser en réponse à ces questions son point de vue concernant les garanties que la Turquie serait disposée à offrir aux étrangers en substitution des privilèges judiciaires dont ils jouissaient sous le régime capitulaire. Une copie de ce second questionnaire se trouve ci-jointe. Les matières traitées dans les trois questions firent l'objet d'une discussion prolongée aux quatrième et cinquième séances de la sous-commission. La délégation turque n'eut pas de difficulté à répondre affirmativement à la première question, en subordonnant son adhésion au principe y émis à la seule condition de réciprocité. Quant aux deux autres questions, la délégation turque insista fortement que toute introduction d'un élément spécial dans la magistrature turque, même dans les conditions esquissées dans le questionnaire, porterait atteinte à la souveraineté et à l'indépendance de la Turquie. La délégation turque soutint avec non moins d'insistance que la législation turque actuelle répondait suffisamment aux besoins de la vie moderne; que l'on pouvait sans aucune crainte laisser à la grande Assemblée nationale le soin d'apporter à cette législation les modifications qui paraîtraient nécessaires de temps à autre; que la magistrature turque, recrutée depuis quarante ans parmi les diplômés de la Faculté de Droit, était pleinement à la hauteur de sa tâche, et que les étrangers non moins que les ressortissants turcs trouveraient dans la législation et dans le système judiciaire de la Turquie toutes les garanties nécessaires pour leurs personnes et pour leurs intérêts.

Après avoir combattu avec l'appui de ses collègues alliés les arguments avancés par la délégation turque en faveur de cette thèse, le président remit à la délégation turque, à la fin de la cinquième séance, un projet contenant les propositions détaillées des Alliés. Il invita la délégation turque à charger son conseiller légiste d'examiner ce projet avec les conseillers légistes alliés dans le but de voir si un accord ne pouvait être atteint.

Les conseillers légistes alliés informèrent le président le 18 décembre que la divergence absolue existant entre les points de vue alliés et turcs sur les principes fondamentaux les mettait dans l'impossibilité de poursuivre utilement avec leur collègue turc la question du régime judiciaire. Ils ajoutèrent qu'ils avaient pu trouver, d'accord

avec lui, quelques formules de nature à résoudre certaines des questions relatives au droit d'établissement, mais qu'il restait d'autres questions de ce genre, d'ailleurs les plus importantes, sur lesquelles on n'avait pu tomber d'accord. En présence des difficultés présentées par ces dernières questions, et du fait que la solution éventuelle de la question du régime judiciaire allait nécessairement influer sur le point de vue allié au sujet des clauses d'établissement, les conseillers légistes alliés crurent devoir prier le président de les dispenser de la tâche que la sous-commission leur avait confiée.

À la sixième séance, qui eut lieu le 20 décembre, le président fit part à la sous-commission du résultat négatif des travaux des conseillers légistes. Sans renoncer aux propositions faites par les Alliés, il demanda à la délégation turque de dire d'une manière précise si elle avait des contre-propositions quelconques à émettre, ou si elle considérait que les étrangers n'avaient aucunement besoin de garanties spéciales pour remplacer le régime capitulaire. La délégation turque ayant encore une fois répondu que toutes les garanties nécessaires existaient déjà dans la législation et dans l'administration de la justice turques, le président constata avec regret que la sous-commission se trouvait dans une impasse, et qu'il n'avait d'autre alternative que de rapporter au Marquis Garroni, président de la deuxième Commission, que la sous-commission se trouvait dans l'impossibilité de continuer ses travaux.

Le 23 décembre 1922.

Établissement des Étrangers.

Questionnaire présenté à la Délégation turque par le Président de la première Sous-Commission de la Commission du Régime des Étrangers.

La délégation turque est priée de faire connaître si elle accepte les principes suivants :

1. Les ressortissants des Puissances alliées seront reçus et traités sur tout le territoire de la Turquie relativement à leurs personnes et à leurs biens conformément au droit international. Ils y jouiront de la plus entière et constante protection pour leurs personnes, leurs biens, droits et intérêts. Ils y auront entière liberté d'accès et d'établissement, et pourront, en conséquence, aller, venir et séjourner en Turquie, en se conformant aux lois et règlements de police et sans être soumis de ce chef à aucun impôt, taxe, charge, ou restrictions quelconques auxquels ne seraient pas soumis les ressortissants turcs.

2. Pour prendre domicile ou former un établissement en Turquie, les ressortissants des Puissances alliées devront être munis d'un certificat ou acte d'immatriculation constatant leur nationalité, qui leur sera délivré par leurs Ambassades, Légations, consulats ou vice-consulats respectifs institués en Turquie.

3. Les ressortissants des Puissances alliées auront, en Turquie, le droit d'acquérir, de posséder et d'aliéner toute sorte de biens mobiliers et immobiliers; ils pourront en disposer notamment par vente, échange, donation, dispositions testamentaires ou de toute autre manière, ainsi qu'entrer en possession par voie de succession en vertu de la loi ou par suite de dispositions entre vifs ou testamentaires.

Ils pourront exercer en Turquie tous genres de commerce, de profession, d'industrie et d'exploitation permis aux ressortissants turcs.

Ils ne seront soumis, en aucun de ces cas, à des impôts, taxes, charges ou restrictions quelconques autres ou plus onéreux que les ressortissants turcs.

4. Les ressortissants des Puissances alliées ne seront pas soumis en Turquie aux lois militaires; ils seront exempts de tout service et de toute obligation ou charge remplaçant le service militaire, ainsi que de toutes réquisitions, de tous emprunts forcés, contributions pécuniaires ou autres, taxes ou charges quelconques ayant pour cause des buts de guerre.

Ils ne pourront être expropriés de leurs biens ou privés même temporairement de la jouissance de leurs biens que pour cause légalement et publiquement reconnue d'utilité publique et moyennant une juste et préalable indemnité.

5. Les ressortissants des Puissances alliées qui, en Turquie, seraient dans le cas d'être renvoyés par sentence légale ou d'après les lois ou règlements sur la police des mœurs, sur la police sanitaire et sur la mendicité, seront reçus en tout temps, eux et leurs familles, dans le pays dont ils sont originaires et où ils auront conservé leurs droits.

Le transport des individus expulsés jusqu'au lieu de destination sera effectué par les soins et à la charge du Gouvernement turc, dans des conditions conformes à l'hygiène et à l'humanité.

6. Les sociétés commerciales, industrielles ou financières, y compris les sociétés d'assurances et en général toutes les personnes morales régulièrement constituées sur le territoire de l'une quelconque des Puissances alliées ou qui y sont légalement reconnues jouiront à tous égards en Turquie des mêmes droits que les ressortissants desdites puissances. En tout ce qui concerne leur constitution, leur capacité juridique et le droit d'ester en justice, elles seront traitées d'après leur loi nationale, tout en restant soumises, quant à leurs opérations elles-mêmes en Turquie, aux prescriptions de la loi turque; elles jouiront, à cet égard, dans tous les cas, des mêmes droits que toute autre société semblable turque ou étrangère.

7. Pour toutes les questions concernant la matière du mariage et de la communauté conjugale, la paternité et la filiation, l'adoption, la capacité des personnes, la majorité, la tutelle, la curatelle, l'interdiction et, en général, le droit de famille et le statut personnel des ressortissants des Puissances alliées, seront seuls compétents les tribunaux nationaux ou autres autorités nationales compétentes du pays auquel ces ressortissants appartiennent.

Pour toutes les questions relatives à la dévolution et au partage des successions des ressortissants des Puissances alliées, aux testaments, legs et donations entre vifs ou à cause de mort, émanant des ressortissants desdites Puissances, seront seuls compétents les tribunaux nationaux ou autres autorités nationales compétentes du pays auquel ressortissait le défunt ou l'auteur de l'acte de disposition.

Le 7 décembre 1922.

Deuxième Commission, première Sous-Commission.

Contre-projet présenté par Véli Bey, au nom de la Délégation turque, le 9 décembre 1922.

La délégation turque à la première Sous-Commission de la deuxième Commission a l'honneur de présenter comme suit les modifications qu'elle juge nécessaire d'introduire dans le projet qui lui a été communiqué à la séance précédente :

1. Les ressortissants des Puissances alliées seront reçus et traités sur tout le territoire de la Turquie relativement à leurs personnes et à leurs biens conformément au droit international général. Ils y jouiront de la plus entière et constante protection pour leurs personnes, leurs biens, droits et intérêts. Ils y auront la liberté d'accès et d'établissement conformément aux lois, décrets, ordonnances et règlements y relatifs. En conséquence, ils pourront aller, venir et séjourner en Turquie sans être soumis de ce chef à aucun impôt, taxe et charge quelconques auxquels ne seraient pas soumis les ressortissants turcs.

La Turquie se réserve le droit de réglementer l'immigration.

2. Pour pouvoir invoquer les dispositions de l'article 1er, les ressortissants des Puissances alliées devront être munis d'un certificat ou acte d'immatriculation constatant leur nationalité, qui leur sera délivré par leurs Ambassades, Légations, consulats ou vice-consulats respectifs institués en Turquie. Toutefois, le certificat et l'acte d'immatriculation susmentionnés n'auront pas l'effet d'une preuve suffisante pour établir une nationalité qui serait contestée.

3. Les ressortissants des Puissances alliées auront, en Turquie, le droit d'acquérir, de posséder et d'aliéner toutes sortes de biens mobiliers et immobiliers; ils pourront en disposer notamment par vente, échange, donation, disposition testamentaire ou de toute autre manière, ainsi qu'entrer en possession par voie de succession en vertu de la loi ou par suite de dispositions entre vifs ou testamentaires.

Le droit d'acquisition de propriété rurale sera réservé aux nationaux.

Ils pourront, en se conformant aux lois et prescriptions du pays, exercer tout genre de commerce, de profession, d'industrie et d'exploitation, excepté ceux réservés à l'État ou aux seuls nationaux turcs.

Ils ne seront soumis, dans aucun de ces cas, à des impôts, taxes et charges quelconques autres ou plus onéreux que ceux auxquels seront soumis les ressortissants de la nation la plus favorisée.

4. Les ressortissants des Puissances alliées ne seront pas soumis en Turquie aux lois relatives au service militaire ; ils seront exempts de tout service et de tout obligation ou charge remplaçant le service militaire.

En matière d'emprunt forcé, de réquisition ainsi que de toute autre prestation pécuniaire levés pour des buts de guerre, les ressortissants des Puissances alliées seront soumis aux mêmes prescriptions que les ressortissants turcs.

Ils ne pourront être expropriés de leurs biens ou privés, même temporairement, de la jouissance de leurs biens que pour cause légalement reconnue d'utilité publique et moyennant une juste et préalable indemnité.

5. Les ressortissants des Puissances alliées en Turquie qui seraient expulsés soit par sentence légale, soit pour des motifs basés sur la sûreté intérieure ou extérieure de l'État turc, ou bien d'après les lois ou règlements sur la police des mœurs, sur la police sanitaire et sur la mendicité, seront reçus en tout temps, eux et leurs familles, dans le pays dont ils sont les ressortissants.

Le transport des individus expulsés jusqu'au lieu de destination sera effectué par les soins et à la charge du Gouvernement turc, dans des conditions conformes à l'hygiène et à l'humanité.

6. Les sociétés commerciales, industrielles ou financières, y compris les sociétés d'assurances constituées sur le territoire de l'une quelconque des Puissances alliées ou qui y seront légalement reconnues, seront reconnues en Turquie et leur capacité et leur droit d'ester en justice seront déterminés par leurs lois nationales ; quant à leur établissement, leurs opérations et l'exercice des droits à elles reconnus par leurs lois nationales, ces sociétés seront soumises aux prescriptions de la loi turque.

7. Pour toutes les questions concernant le statut personnel, c'est-à-dire les matières de mariage et de la communauté conjugale, la paternité, la filiation, l'adoption, la capacité des personnes, la majorité, la tutelle, la curatelle, l'interdiction et en général le droit de famille des ressortissants des Puissances alliées, seront seuls compétents les tribunaux nationaux ou autres autorités nationales compétentes se trouvant dans le pays auquel ces ressortissants appartiennent.

Ces dispositions n'empêchent pas les tribunaux de la Turquie de juger conformément aux lois nationales des parties les questions incidentes qui touchent des matières visées dans cet alinéa.

Dans ce cas, les décisions relatives aux statuts personnels n'auront la force de chose jugée que pour les parties en cause et pour la contestation décidée.

En matière mobilière, toutes les questions relatives au titre d'hérédité ou au legs et touchant le droit à la succession ou son partage seront décidées par les tribunaux ou autres autorités compétentes se trouvant sur le territoire du pays dont relevait le défunt et conformément à ses lois nationales.

En matière immobilière, les questions relatives au titre d'hérédité ou de legs et touchant le droit à la succession ou son partage seront décidées exclusivement par les tribunaux ou autres autorités compétentes du pays dans lequel les immeubles sont situés et conformément aux lois de ce pays.

Toutes les dispositions ci-dessus mentionnées seront appliquées sous condition de réciprocité.

Regime judiciaire.

Questionnaire présenté à la Délégation turque par le Président de la première Sous-Commission de la Commission du Régime des Étrangers.

1. La délégation turque admet-elle que les ressortissants de Puissances alliées doivent avoir libre accès aux tribunaux turcs et pourront ester en justice aux mêmes conditions à tous égards que les ressortissants turcs, sans être astreints à aucune caution ou dépôt, sous quelque dénomination que ce soit, en raison de leur extranéité ou de leur défaut de domicile ou de résidence en Turquie ?

2. La délégation turque serait-elle prête à se rallier à l'adoption d'un système comportant l'introduction dans la magistrature turque d'un élément composé de magistrats, qui seraient proposés au Gouvernement turc par une autorité internationale, comme, par exemple, la Cour permanente de Justice internationale, et qui, tout en appartenant au cadre de la magistrature turque, auraient pour tâche de collaborer avec leurs collègues turcs, sur des bases à discuter, dans toutes les affaires concernant les ressortissants des sujets alliés ?

3. La délégation turque accepterait-elle que l'élément spécial dans la magistrature turque prévu dans la question précédente ait un rôle déterminé dans l'élaboration des projets de réformes qui seront nécessaires pour adapter la législation turque aux besoins de la vie moderne ?

Le 13 décembre 1922.

Première Sous-Commission de la deuxième Commission.

Projet sur la Compétence judiciaire pour les Matières autres que le Statut personnel, présenté par les Délégations alliées à la Délégation turque, le 14 décembre 1922.

1. Les ressortissants des Puissances alliées auront libre accès aux tribunaux turcs et pourront ester en justice aux mêmes conditions à tous égards que les ressortissants turcs, sans être astreints à aucune caution ou dépôt, sous quelque dénomination que ce soit, en raison de leur extranéité ou de leur défaut de domicile ou de résidence en Turquie.

2. Dans les contestations en matière réelle ou immobilière s'élevant entre ressortissants des Puissances alliées ou entre ceux-ci et ressortissants turcs et concernant des immeubles situés en Turquie, l'action sera portée devant la juridiction turque du lieu de la situation de l'immeuble.

3. Dans les contestations en matière mobilière, civile ou commerciale, qui viendraient à s'élever en Turquie, entre ressortissants des Puissances alliées ou entre ceux-ci et ressortissants turcs, et qui, d'après les règles ordinaires du droit international, seraient de la compétence des tribunaux du pays, l'action sera, à défaut de stipulation contraire entre les parties, portée devant la juridiction turque.

4. En matière pénale, les ressortissants des Puissances alliées seront, en Turquie, conformément aux règles ordinaires du droit international, justiciables de la juridiction turque pour tous les crimes, délits et contraventions commis par eux en Turquie, sans préjudice du droit de juridiction que les Puissances alliées auraient, d'après leur législation intérieure, sur leurs propres nationaux pour les crimes ou délits commis par ceux-ci à l'étranger.

5. Le Gouvernement turc s'engage à recruter, dès la mise en vigueur du présent traité, pour faire partie de la magistrature turque, un nombre suffisant, d'après les dispositions ci-après, de magistrats, qui leur seront proposés par la Cour permanente de Justice internationale et qui seront attachés aux tribunaux de première instance de Constantinople, Smyrne, Brousse, ainsi qu'à la Cour d'Appel et à la Cour de Cassation.

Les conditions d'engagement et de traitement de ces magistrats seront fixées par la Cour permanente de Justice internationale d'accord avec le Gouvernement turc.

6. En cas de compétence de la juridiction turque, en quelque matière que ce soit, les tribunaux turcs énumérés à l'article 6 auront seuls à connaître en première instance des contestations visées aux articles 2 et 3, ainsi que des poursuites exercées conformément à l'article 5 et, en général, de toutes affaires concernant les ressortissants des Puissances alliées : leurs circonscriptions judiciaires seront fixées en conséquence.

Lorsque les tribunaux et cours visés à l'article 6 auront à connaître, pour jugement ou pour instruction, d'une desdites affaires, leur composition devra toujours comporter un nombre de magistrats, choisis parmi ceux prévus audit article 6, assurant à ceux-ci la majorité dans les délibérations du tribunal ou de la cour.

Dans tous les cas où le tribunal ou la cour sont composés de plusieurs juges, la présidence sera exercée par un magistrat turc.

7. Le Gouvernement turc s'engage à constituer, dès la mise en vigueur du présent traité, une commission consultative dont feront partie les magistrats visés au paragraphe 1er de l'article 6 et attachés à la Cour d'Appel ou à la Cour de Cassation. Cette commission aura pour tâche d'élaborer tous projets de réforme qui serait jugée nécessaire pour tenir la législation turque au niveau des conditions de la vie moderne.

8. Dans les villes de Constantinople, Smyrne, Brousse, les mandats d'amener et d'arrêt, ainsi que les mandats ordonnant des visites domiciliaires, ne seront décernés contre les ressortissants des Puissances alliées que par les magistrats visés au paragraphe 1er de l'article 6, devant lesquels l'inculpé sera traduit sans délai.

Les ressortissants des Puissances alliées qui auront été arrêtés sans mandat dans le cas de flagrant délit ou qui auront été arrêtés ailleurs que dans les villes ci-dessus désignées en vertu d'un mandat décerné par un magistrat turc, pourront toujours réclamer d'être envoyés sans délai, et au plus tard dans les quarante-huit heures de

l'arrestation devant un des magistrats visés au paragraphe 1er de article 6, dans la circonscription duquel l'arrestation a été opérée. Passé ce délai, la mise en liberté sera obligatoire.

9. Toutes questions relatives à l'exécution des jugements, à la communication des actes judiciaires et extra-judiciaires aux commissions rogatoires, aux condamnations aux frais et depens, à l'assistance judiciaire gratuite et la contrainte par corps seront, dans les rapports entre les Puissances alliées et la Turquie, l'objet de conventions spéciales à conclure entre les Etats intéressés.

No. 71

The Marquess Curzon of Kedleston to Sir Eyre Crowe.—(Received January 16.)

[By Bag.]

(No. 208.)
(Telegraphic.) *Lausanne, January 14, 1923.*

I HAVE seen M Barrère, who is still in bed but recovering, and I earnestly pleaded the cause of despatch as against procrastination, pointing out that the methods of my colleagues would involve our spending at least another three weeks here, which I could not afford to do, with no prospect of success at the end of that time except by all-round surrender. He proposes sending Bompard to Paris this week to obtain authority from French Treasury to make concessions on financial clauses. As to this I said we ought to be told in advance what they were likely to be, and it might be desirable that British Treasury should be represented at Paris conversations. Otherwise we might have disagreement here. I will telegraph again about this.

Concerning heads of treaty, which Barrère had from me a week ago, Fromageot, to whom he referred them, has completely misunderstood their character and object, and this will necessitate further explanation and additional delay In fact any suggestion of a move forward is met by a phalanx of obstacles.

Everyone else having failed to bring Ismet to reason about substitute for capitulary system I propose to take him in hand to-morrow, assisted by the American, Child, who is in close agreement with us on the subject. I have persuaded Child to promise that no American money shall be forthcoming for Turkey unless she signs the treaty, including agreement on this point.

Cabinet may like to hear my ideas about dealing with Mosul. Two methods appear to be possible. The first is to bring the case in ordinary course before Territorial Commission, advantage of which would be that I could state our case clearly and concisely to the world, and that France and Italy would be publicly pinned to its support. On other hand, it would mean that present Irak boundary would have to be mentioned in treaty, which might give Turks excuse for refusing to sign on that plea only.

Second plan, to which I incline, would be not to mention that frontier in the treaty at all, and when Ismet demands why it is excluded, to reply that it is no use suggesting in the treaty a frontier as to which we are in such open disagreement, and that the best solution will be to refer the settlement of the question by a written agreement or by a protocol to the arbitration of the League of Nations. I do not see how he could well refuse this; and we should be in a strong position before world

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No. 72.

Sir E. Drummond to the Marquess Curzon of Kedleston.—(Received January 16.)

(Unnumbered.)
(Telegraphic.) *Geneva, January 16, 1923.*

IN reply to your No. 3 of 13th January to Mr. London, Geneva, Nansen states no further definite commitments entered into by other donors in respect Near East refugee relief, but Greek Government intimated willingness in principle to contribute further 5,000,000 drachmas. Nansen has offered to contribute 3,000*l.* from Nobel Prize Fund on condition His Majesty's Government agrees to double it. Venture to suggest consult Procter, who could supply detailed confirmation as to position.

No. 73.

The Marquess Curzon of Kedleston to Mr. Henderson (Constantinople).

(No. 13.)
(Telegraphic.) R. *Foreign Office, January 16, 1923.*

YOUR telegram No. 794, and your despatch No. 1153 of 29th December: Regulations governing entry of foreign warships into Turkish ports.

What, if any, reply has been returned to Turkish representations?

No. 74.

Sir Eyre Crowe to the Marquess Curzon of Kedleston (Lausanne).

(No. 137.)
(Telegraphic.) *Foreign Office, January 16, 1923.*

YOUR telegram No. 200 of 12th January: Caliphate.

Secretary of State for India does not like words "and especially for reasons of belief," intention of which is obscure to him, but seems in any case to be covered by general sense of article. He would suggest omission, as drawing too much attention to religious aspect, unless you see reason to the contrary.

No. 75.

The Marquess Curzon of Kedleston to Mr. Lindsay.—(Received January 17.)

(No. 210.)
(Telegraphic.) [By Bag.]
Lausanne, January 15, 1923.

I SAW M. Fromageot this morning. He put forward every conceivable objection that an ingenious legal mind could suggest to the scheme, proposed by me and hitherto agreed upon by Allies, for heads of treaty to be submitted at an early date to the Turks and either accepted or rejected by them. Evidently the French delegation is going back upon its word and intends to play for time and to keep things going until the final draft of treaty is ready weeks hence, when, all our points having been conceded or whittled away, agreement will be reached by sheer exhaustion. Whole attitude of M. Barrère has changed since his last visit to Paris and his severe handling by M. Poincaré. French position now is that trouble in Ruhr necessitates an agreement here at whatever sacrifice, even of French interests; and I truly believe that there is not a point on which they will be prepared to stand

I have just returned from hour and a half with Ismet and Child over Capitulations. I told Ismet plainly that the matter could not be settled by a mere repetition of the old assertions and denials which we have heard for eight weeks; that, while we are willing to abolish the fiscal Capitulations and to insert in the treaty the surrender of all Capitulations, we must have a provisional judicial system approved by the Powers for the intervening years before necessary reform of the Turkish codes can be completed; and that it is for the Turks, having rejected all our suggestions, to make proposals themselves and to embody them in a protocol to the treaty.

I even made suggestions to Ismet as to the lines on which it might be possible for them to proceed. Otherwise, I said, we should have no alternative but to insert our own provisions in the treaty, adhere to them, and leave if they were not accepted. But in that case both Child and I reminded him that not an American dollar nor an English shilling would be forthcoming for the economic restoration of Turkey.

After repeated appeals to us from Ismet to trust to the good faith and splendid intentions of the Turks, we left him to take away this pill and consider with his colleagues how far they can swallow it. I entertain little hope except on the last-moment theory, which is practically becoming our sole chance with these impossible people, who seem to combine the intelligence of an undeveloped child with the indurated obstinacy of the mule.

[E 744/1/44] No. 76.

Note verbale communicated by Russian Delegation, Lausanne.—(Received at Foreign Office, January 18.)

LA délégation de Russie, d'Ukraine et de Géorgie a l'honneur de confirmer aux présidents de la conférence la réception de leur note verbale du 10 janvier. La délégation prend acte de l'engagement qui y est énoncé de "communiquer en temps utile à la délégation russe" les textes préparés au cours des conversations officieuses qui ont lieu entre certaines délégations.

En même temps, la délégation de Russie, d'Ukraine et de Géorgie fait ressortir que la note du 10 janvier constate officiellement pour la première fois l'existence de ces conversations, ayant pour but "de hâter les travaux de la conférence et de préciser les points sur lesquels l'accord s'était établi au sein de la commission entre la majorité des délégations."

Il n'y a point de doute qu'une convention peut plus facilement et plus rapidement être élaborée entre une partie seulement des Puissances représentées à une conférence que si toutes y collaborent; mais ce n'est point la meilleure méthode pour obtenir un accord général, puisque les Puissances exclues de ces conciliables séparés seraient en conséquence mises en demeure de se laisser imposer des décisions auxquelles elles seraient étrangères. La Russie, l'Ukraine et la Géorgie, ne se trouvant aucunement dans la situation de vaincus condamnés à subir la volonté d'autrui, ne peuvent admettre l'application envers elles de méthodes semblables signifiant leur exclusion des pourparlers détaillés concernant le régime futur des Détroits.

La délégation de Russie, d'Ukraine et de Géorgie désireuse néanmoins d'aboutir à un accord général et non à une rupture, et consciente que seules des conclusions unanimes peuvent permettre l'établissement dans le Proche-Orient d'un état de choses stable, demande aux présidents de la conférence de lui faire savoir la date à laquelle ils ont l'intention de convoquer une séance de la Commission des Détroits afin de donner le moyen à toutes les Puissances intéressées de faire entendre leur voix.

Délégation de Russie, Ouchy-Lausanne,
le 13 janvier 1923.

No. 77.

The Marquess Curzon of Kedleston to Mr. Lindsay.—(Received January 18.)

(No. 211.) [By Bag.]
(Telegraphic.) *Lausanne, January 16, 1923.*

I AM greatly obliged for prompt response of Cabinet to my appeal, which will be useful to me in impending struggle to bring matters to a head. Position to-day is as follows: M. Barrère, under orders of his doctor, eludes equally business and capture. I have discussed limit of financial concessions with our experts, of whom Waley goes to Paris with Bompard to-morrow. After their return on Saturday, I propose to put financial clauses into final shape on Monday for inclusion in treaty. I shall then endeavour in succeeding two days to reduce all other clauses to final form, *i.e.*, the form which, whether they have or have not been accepted by the Turks, they must assume in the treaty to be presented to the latter.

I speak of the treaty because, owing to the French tactics which I have described in previous telegrams, my plan of presenting principal heads for immediate acceptance or refusal, which has now been sent by Barrère to Paris, has been so repeatedly delayed that difference in time between presenting it and presenting final treaty itself will be relatively insignificant.

I shall then press for the treaty, so completed, to be presented to the Turks as I hope at end of next week, or at latest on Monday, 29th. It may be necessary to meet probable demand of Russians for a day to discuss Straits Convention which will be annexed to the treaty. I should then like to adjourn the entire conference and arrange for French and Italian plenipotentiaries to leave with myself, promising to return to sign the treaty if the Turks, after they have taken time to consider it, are ready to do the same. They are said to be preparing an entire counter-project or treaty of their own which they intend to submit as their alternative to ours. But this I shall have to bow out of the door with as much politeness as I can command.

I send you these messages nightly by bag in order that, without cost to the

taxpayer, my colleagues may be able to follow varying phases of this almost transpontine drama, and may understand the varying moods of hope, amusement, fury and despair through which we pass from day to day.

No. 78.

Mr. Henderson to Mr. Lindsay. (*Received January 18.*)

(No. 25.)
(Telegraphic.) R. *Constantinople, January 18, 1923.*

MY telegram No. 35 to Marquess Curzon.

I have received telegram from Adnan Bey at Ismid stating that Mustapha Kemal is much concerned at violation of Mudania Convention through occupation of Karagatch by Greeks and by retirement of Allied forces to eastern bank of the Maritza. Adnan also begged that urgent steps be taken to avoid all incidents.

Allegations, which are, of course, entirely without foundation, are, I fancy, based, first, on presence of Greek detachment at Karagatch, and, secondly, of British sentry on east bank of Kuleli Bourgas Bridge. In my reply I have consequently denied both statements, remarking, in first case, that Karagatch is occupied by French troops and that presence of Greek detachment there is not contrary to Mudania Convention, and, secondly, that General Harington has [? not] given instructions for even the single British sentry to be withdrawn to west bank.

I have expressed my surprise at these unfounded rumours, adding that Allies are scrupulously respecting all provisions of Mudania Convention, that they intend to maintain themselves their attitude of perfect loyalty, to prevent violation of that convention by others, and to do all that depends on them to prevent incidents.

(Sent to Lausanne, No. 37.)

No. 79.

Mr. Henderson to the Marquess Curzon of Kedleston.—(Received January 18.)

(No. 27.)
(Telegraphic.) R. *Constantinople, January 18, 1923.*

YOUR telegram No. 13

Turkish authorities at Smyrna are not attempting to enforce regulations, and Allied High Commissioners considered it as well to allow matter to drop.

No. 80.

Mr. Henderson to Mr. Lindsay.—(Received January 18.)

(No. 29.)
(Telegraphic.) *Constantinople, January 18, 1923.*

MY telegram No. 25.

Turks are undoubtedly greatly perturbed at Greek activity in Western Thrace.

French think that repeated allegations in press and representations made to me by Turkish authorities here on the subject are based either on desire to justify Turkish breaches of Mudania Convention or possible eventual attack on us. I am more inclined to believe Turks are really alarmed at possibility of Greek hostilities, and at the same time irritated at seeing pressure which they hoped to exert through Turkish armies at Ismid and Chanak and through Refet's organisation in Thrace diminished by counter-effect of Greek threat on Maritza.

French High Commissioner, supported probably by Italian, is recommending to his Government that, in order to avoid dangerous incidents, Greeks be requested to withdraw 2 kilom. from western bank. French High Commissioner [group undecypherable] argues that this suggestion would be in accordance with the spirit of article 3 of Mudania Convention, which stipulates that right bank of river will be occupied by Allied contingents, though presence of Greeks on that bank is not actually excluded. I told French High Commissioner that I could not myself support his proposal, in view of objections formulated thereto by General Harington, to whom I had mentioned it some days ago, and which I share, namely, that it would

be unjust to ask only Greeks to withdraw, that Turks would refuse to do so, since by Mudania Convention they were entitled to hold up to left bank, that it was a military measure which could not be enforced, that neutral area could not be controlled owing to numerical weakness of Allied forces in Thrace, and generally speaking that there was no ground for alarm.

French High Commissioner recognises force of these objections, and said that he would put forward proposal as a personal suggestion. He does not himself believe that there is any real danger of a Greek attack. He states in this respect he is far less anxious than French representatives in Athens, who regard General Pangalos as ambitious and irresponsible enough to commit any folly.

rfe is, nevertheless, apprehensive of incidents occurring as result of raids or looting which occasionally take place across the river, and thinks neutral zone might obviate that danger.

There is something to be said for this argument, though British reports in general, and colonel commanding British battalion on Maritza in particular, indicate that danger of incidents in British zone, at any rate, is small.

(Sent to Lord Curzon, No. 38; repeated to Athens, No. 7.)

No. 81.

The Marquess Curzon of Kedleston to Mr. Henderson (Constantinople)

(No. 16.)
(Telegraphic.) *Foreign Office, January* 18, 1923.

MY telegram No. 9 of 10th January.

You should bear in mind instructions in my telegram No. 4, and should not accept Maltese for evacuation unless born in Malta or the United Kingdom or able to maintain themselves without becoming a charge on Government funds. Exceptions should only be made in the case of individuals whose lives are especially threatened.

Same principle should be applied to category (c) in your telegram No. 5. Please report result of consultation with High Commissioner, Jerusalem

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[E 796/4/44] No. 82.

Consul Smart to the Marquess Curzon of Kedleston.—(Received January 19.)

(No. 2.)
My Lord, *Aleppo, January* 6, 1923.

WITH reference to Mr. Morgan's despatch No. 153 of the 13th ultimo, I have the honour to report that the following are the estimated numbers of refugees who have arrived at Aleppo from Asia Minor since the 1st November last:—

Armenians	30,000
Greeks	13,000

About 3,000 of these Greeks have been sent out of the country viâ Tripoli.

It is estimated that there were more than 30,000 Armenian refugees in Aleppo before November last.

I have, &c.
W. A. SMART.

No. 83.

The Marquess of Crewe to the Marquess Curzon of Kedleston.—(Received January 19.)

(No. 69.) [By Bag.]
(Telegraphic.) *Paris, January* 18, 1923.

"PETIT PARISIEN" announces that important meeting is to take place this afternoon at the Quai d'Orsay, attended by MM. Bompard, Serruys, Bargeton and Peretti della Rocca, and representatives of the Ministries of Finance and Commerce, with the object of finding a final formula for the financial and economic clauses of the Lausanne Treaty, which, while providing for the interests of the Allies, can be accepted by the Turks The "Petit Parisien" understands that the meeting will

be followed by conversations with the Italian and British experts from Lausanne. It is to be hoped that two days will suffice for a final plan to be approved by the French Cabinet, and that M. Bompard and the experts will be able to return to Lausanne on Saturday. The text of the plan could thus be submitted to the Turks at the beginning of next week.

The "Ere nouvelle" writes that the repercussions of the Lausanne Conference may be really as important as those of the German question. The fact that England keeps her Foreign Minister at the conference shows how much importance she attaches to it. France has everything to lose by a disagreement and a resumption of hostilities. Her duty is now to make peace by a policy of independence and firmness, and M. Poincaré will easily show that the inter-Allied plan submitted to him cannot be accepted by the Turks.

No. 84.

Mr. Bentinck to Mr. Lindsay.—(Received January 19.)

(No. 29.)
(Telegraphic.) D. *Athens, January* 19, 1923

MY telegram No. 14.

Italian Chargé d'Affaires informs me that French Government have approached our two Governments, suggesting that three representatives here should make joint *démarche* requesting withdrawal of Greek forces from Maritza. My Italian colleague has been instructed to associate himself with us in the event of such action being taken.

I venture to hope that I may not be instructed to take any further action as suggested.

Greek press already complains that, whilst warning Greeks not to advance, Powers do nothing to prevent Turks pouring troops into Eastern Thrace in violation of Mudania Agreement. Last summer we asked Greeks to retire from Chatalja lines. They complied, and abandoned Constantinople project in consequence of our threats. Smyrna disaster followed. I trust that we shall not take responsibility for similar action in present circumstances (see my despatch No. 18, sent by last bag).

(Repeated to Constantinople, No. 17, and to Lord Curzon, No. 14.)

No. 85.

Mr. Bentinck to Mr. Lindsay.—(Received January 19.)

(No. 30.)
(Telegraphic.) R. *Athens, January* 19, 1923.

THERE is a strong and universal outcry in Greece against Lausanne proposals for exchange of population. Refugees cannot contemplate idea of abandoning their homes for ever, and are organising a mass meeting of protest.

I fear scheme will not only mean economic ruin in both countries, but may produce early resumption of hostilities.

Asia Minor refugees are mostly small traders and artisans, whilst Mussulman inhabitants of Greece mostly work on the land

(Repeated to Lord Curzon and Constantinople.)

No. 86.

The Marquess Curzon of Kedleston to Mr. Henderson (Constantinople).

(No. 17.)
(Telegraphic.) *Foreign Office, January* 19, 1923.

MY telegram No. 603 of 14th December: Return of British subjects to Smyrna.

We are being constantly pressed by Smyrna-Aidin Railway Company and other firms to relax prohibition on return of British subjects to Smyrna: former allege that employees of French Cassaba Railway are returning, and that our prohibition constitutes a hardship imposed for national reasons on British company in respect of which they are entitled to demand financial compensation.

While situation at Lausanne is more hopeful, your despatch No. 21 fully justifies maintenance of prohibition, although situation there may have changed for the better during last two weeks.

Please consult with acting consul-general and telegraph your views as to desirability or otherwise of modifying prohibition so as to allow British subjects to return to Smyrna on following conditions: (*a*) that they obtain previous authority from Angora; (*b*) that they have urgent business reasons for returning to Smyrna; and (*c*) that they accept full risk and responsibility for any dangers or difficulties they may encounter at Smyrna.

No. 87.

The Marquess Curzon of Kedleston to Mr. Henderson (Constantinople).

(No. 18.)
(Telegraphic.) *Foreign Office, January* 19, 1923.

Your despatch No. 21 of 9th January: Situation at Smyrna.

We have informed Admiralty that we do not wish British man-of-war to incur undue risk by remaining at Smyrna. We have asked that, if man-of-war be withdrawn, consul-general may be taken away, and that British residents may be given one more chance of leaving.

[E 807/1/44] No. 88.

Lausanne Conference on Near Eastern Affairs.

(Strictly Confidential.)

COMMISSION ON THE RÉGIME OF FOREIGNERS.

Draft Minutes of the Third Meeting, January 6, 1923, *at* 4 P.M., *under the presidency of Marquis Garroni.—(Received at Foreign Office, January* 20.)

Present:

BRITISH EMPIRE.	FRANCE.	ITALY.
The Marquess Curzon of Kedleston.	M. Barrère.	Marquis Garroni.
Sir H. Rumbold.	M. Bompard.	M. Montagna.
		M. Lago.
UNITED STATES OF AMERICA.	**JAPAN.**	**GREECE.**
Mr. Child.	Baron Hayashi.	M. Veniselos.
Admiral Bristol.	Mr. Otchiai.	M. Cachmanos.
Mr. Grew.		
ROUMANIA.	**TURKEY.**	
M. Contzesco.	Ismet Pasha.	
	Riza Nour Bey.	

Also present:

BRITISH EMPIRE	FRANCE.	ITALY.
Sir W. Tyrrell.	M. Fromageot.	M. Arlotta.
Mr. Malkin.	M. de Lacroix.	M. Guariglia.
Mr. Ryan.	M. Laporte.	M. Ciamarra.
Lieut.-Colonel Heywood.	M. Bargeton.	M. Polverelli.
Mr. Forbes Adam.	M. de Percin.	
Mr. Leeper.	M. Barois.	
Mr. McClure.		
UNITED STATES OF AMERICA.	**JAPAN.**	**GREECE.**
Mr. Amory.	Mr. Nagaoka.	M. Dendramis.
Mr. Dwight.	Mr. Sato.	M. Politis.
Mr. Gillespie.	Mr. Tani.	
ROUMANIA.	**SERB-CROAT-SLOVENE STATE.**	**TURKEY.**
Colonel Dumitresco.	M. Georgevitch.	Tahir Bey

Secretariat-General.

M. Massigli, *Secretary-General of the Conference.*

BRITISH EMPIRE	FRANCE.	ITALY
Mr. Spring-Rice.	M. Lagarde.	M. Indelli.
Mr. Wicks.	M. de Saint-Hardouin.	
UNITED STATES OF AMERICA.	**JAPAN.**	**GREECE.**
Mr. Belin.	Mr. Hotta.	M. Collas.
ROUMANIA.		**TURKEY.**
M. Contzarida.		Rechid Safvet Bey.

Interpreter: M. Hervé.

MARQUIS GARRONI invited the Turkish delegation to reply to the speeches made at the meeting on the 28th December.

ISMET PASHA read the following statement:—

"The Turkish delegation have listened to the speeches made by the President (Marquis Garroni), M. Barrère, Baron Hayashi, Mr. Child, Lord Curzon and M. Bompard in the course of the meeting held on the 28th December.

"The arguments advanced by the various delegations in support of a transitory régime have been thoroughly examined by the Turkish delegation, and do not appear to them to prove the necessity of such a régime. On the contrary, it is clear that the most rational and simple course to pursue in this matter would be to apply in Turkey the system which is in force everywhere else.

"The statements of the various speakers can be summed up as follows:—

"1. That it is necessary, as a guarantee, to substitute a transitory régime for the Capitulations.

"2. That the scheme of guarantees handed to the Turkish delegation would not be incompatible with Turkish sovereignty.

"3. That Turkey has answered with a refusal, but has refrained from submitting any counter-proposal.

"1. While it is admitted that it would be unjust to re-establish the Capitulations, it is sought to justify the proposed transitory measures by arguing that the rights of foreigners must be safeguarded by means of special guarantees.

"After the statement of the Turkish delegation in regard to the adequacy of the existing guarantees, Baron Hayashi, like the first French delegate, dwelt on the need of proving by deeds and not by words that foreigners could live in Turkey without any additional guarantee, and said that as Japan had worked at the reorganisation and reform of her institutions for twenty years before she obtained the suppression of the Capitulations, Turkey could with advantage follow her example.

"The Turkish delegation consider that there is no need to restate the fact that foreign residents in Turkey are not protected by mere words, but that Turkey has been at work on reorganisation and reform for half a century (a point which meets the suggestion of the Japanese delegation), and has thus succeeded in creating institutions which are entirely consonant with modern needs. These institutions furnish concrete proof of the soundness of our argument.

"Lord Curzon maintained that these institutions do not meet the requirements of the present day, that the Turkish civil code is based on the Mussulman religion, and that it is consequently of a different character to that of the codes in force in other States such as Greece where, moreover, there is no foreign colony of much importance.

"The Turkish delegation feel bound to state once more that the Turkish civil code has no religious character at all, whatever its origin may be. It is an established fact that laws must be judged not by the sources from which they are derived, but by their actual contents and by the extent to which they meet the needs of the communities governed by them. Even setting aside the fact that certain large countries are

governed by non-written law, it goes without saying that in many Western countries the codes of law are derived from various sources—custom, Roman law and Germanic law as well as canon law. It must also be observed that most of the principles enshrined in the Turkish civil code are not dissimilar to those of European codes of law.

"As regards the argument based on the difference between the numbers of foreigners settled in Turkey and those in the various neighbouring countries (especially Greece), an argument which can hardly be said to tell in favour of the latter, Lord Curzon will surely admit that in such matters the principle cannot be determined by a question of numbers.

"The regions detached from the Ottoman Empire during the 19th century and still more recently, such as Macedonia, Epirus, &c., also contained fairly large foreign colonies; and yet the Capitulations were not maintained there, nor was any provisional régime substituted for them. This proves that it is not the number of the foreigners concerned which has decided their position.

"These regions afforded a far larger field of activity than the other parts of Turkey, and the diminution in the number of foreigners in those parts can only be explained by the different way in which they have been received there. It would not, therefore, be just to bring up as a reproach against Turkey the facilities and hospitality which she has invariably granted to foreigners.

"As regards the alleged defects in the Turkish commercial code, which is said to be much out of date, the Turkish delegation beg leave to remark that the most important parts of that code—those which deal with bills of exchange, companies, insurance and bankruptcy—have been completely remodelled and reformed.

"Lord Curzon further added that there was room for improvement in the administration of the existing laws, that considerable delays in dealing with cases had been observed, and that it was not a rare occurrence to find cases which had lasted over ten years.

"The Turkish delegation believe that judges in Turkey may sometimes give erroneous judgments (this happens in the courts of all countries); that the facilities for appeal placed at the disposal of litigants by the legislation of every country are designed for the express purpose of supplying a remedy; and that the delays which occur in settling certain cases are always due to the nature of the case or to other circumstances, and find their explanation in reasons of a legal nature or in the facts of the case. In other countries one often finds cases which last for several years and considerable delays in the process of preliminary enquiry, with lengthy detention in prison pending trial in consequence.

"Sir Horace Rumbold, president of the sub-commission, mentioned in his statement the arrest of a British subject at Constantinople and the perquisitions made in banks. The Turkish delegation do not know on what grounds these measures (which must have some legal basis) were taken; but they venture to point out in this connection that many of the acts perpetrated by the Allied authorities during the last few years in the occupied parts of Turkey are far more serious in their effect and much more difficult to justify.

"I wish to observe once again that more than half of the European States, placing their faith in our institutions, did not find it necessary after the suppression of the Capitulations to suggest setting up a provisional or transitory régime for foreigners who settled in our country; and that many neutral and other nationals have continued since 1914, and still continue, to pursue their activities in Turkey without any special guarantees for the protection of their persons and properties beyond those which Turkish law provides for our own countrymen.

"It is most important that the laws and institutions of each State should conduce to ensuring the protection of its own subjects' rights. Foreigners who come to visit or settle in the country doubtless profit by this protection, but it would be unjust and contrary to all the rights of a State that it should be obliged to obtain the consent of other States to the laws which it has to enforce upon its own nationals, and foreigners cannot claim a régime of special privilege in any country.

"2. Nearly all the speakers have argued that the scheme presented by the Allies is very moderate, and even includes some concessions as compared with the capitulatory régime, and that it does not in any way infringe Turkish sovereignty.

"May I be allowed first of all to draw a brief comparison between the two systems, and to make clear how insignificant the so-called concessions are as compared with the aggravation of the former régime which the Allied proposals would obviously entail?

"The Allies say they agree to submit to Turkish courts all disputes of every kind arising between foreigners, *i.e.*, cases which under the old régime were exclusively

within the jurisdiction of the consular courts; and they say that there is no longer to be any assistance or intervention on the part of dragomans in these suits, nor any action on the part of diplomatic missions.

"Now, under the capitulatory régime criminal cases and cases connected with real estate, leases and tenancies were dealt with by courts exclusively composed of Turkish judges, and all cases concerning real property were dealt with by Turkish courts direct without consular assistance. The Allied scheme, on the other hand, would hand over these cases to mixed courts. Under the old régime other civil or commercial suits between Turks and foreigners were dealt with by mixed courts where the majority of the judges were Turks; but by the Allied scheme these suits would be handled by courts where the majority of judges would be foreigners. Under the capitulatory system assessors were only included in the courts of first instance; the Allied scheme would bring in a majority of foreign judges into the Courts of Appeal, and even into the Court of Cassation. Formerly it was Turkish judges or authorities who issued warrants, effected search and executed sentences; the Allied scheme would deprive them of these powers and transfer them to foreign judges.

"The difference between the two systems is so obvious that the Turkish delegation feel they can forbear from going into details; it is sufficient to remark how entirely correct they were in saying at the last meeting that whenever a transitory régime is suggested, they find themselves confronted with a system more burdensome than its predecessor.

"As regards the question whether the introduction of foreign judges into the judiciary of a country would or would not be compatible with its sovereignty, the Turkish delegation are obliged to say that they cannot share the views which they have heard expressed by the various speakers.

"The Turkish delegation entirely concur with Mr. Child in thinking that the independence of a State does not signify its isolation or a disregard for the rights of others, that peoples must help each other mutually, that the necessary intercourse between peoples requires them to make certain sacrifices and agree to certain restrictions on their independence. Nothing could be more just or more consonant with international necessities than these ideas, which were so clearly and eloquently expressed. Turkey has no intention of isolating herself or ignoring the rights of others; she fully recognises that nations depend on each other in their relations and must have mutual respect for their rights, and that with this purpose in view they put up with certain restrictions. But it would be absolutely inadmissible that these restrictions should be carried to a point where the exclusive attributes of sovereignty were transferred to other States. The conception of Statehood would never allow of these restrictions being extended so far. Now as the administration of justice is one of these exclusive attributes of sovereignty, no independent State could consent to foreign judges taking a part in the exercise of judicial functions within its territory.

"Lord Curzon quoted the example of England who, though just as jealous of her sovereignty as Turkey, had not hesitated to submit her dispute with the United States in regard to the "Alabama" to foreign arbitrators; and he said that this resort to arbitration had not in any way been regarded as an infringement of her sovereignty. Turkey also resorted to arbitration for the purpose of settling the dispute between Russia and herself in regard to indemnification of Russian subjects. Doubtless there is nothing incompatible with sovereign rights in States resorting to arbitration for the settlement of disputes between them; but there is no need to point out what a difference exists between arbitration and jurisdiction, as regards both their nature and their juridical character.

"In the matter now under discussion we are not concerned with a particular conflict between States, but with a general measure which it is proposed to adopt in regard to lawsuits constantly arising out of relations between individuals. Can any instance be given of an independent State allowing foreign judges to administer justice permanently within its territory?

"These are the reasons why the Turkish delegation cannot accept the proposal in question.

"3. The Turkish delegation are reproached for criticising the Allied scheme without putting forward any counter-proposal.

"The Turkish delegation have declared from the outset, and repeated at the sub-commission, that they are ready to conclude conventions or agreements for the purpose of regulating the position of foreigners in Turkey in accordance with the general principles of international law. The sub-commission has already started to follow this line, and examined to a certain extent the conditions under which physical and juridical

persons can settle in Turkey; it ought to continue its labours as regards questions relating to the personal status of foreigners and the conditions under which they can sue and be sued.

"The Turkish delegation are prepared to adopt the same basis of discussion in solving these other questions as has already been adopted in the matter of settlement in Turkey, namely, the provisions laid down in conventions between other independent States. To-day, even though similar arrangements do not exist between the Powers and Turkey, the latter does not fail to respect the rights of foreigners within her borders, and to ensure that these rights are safeguarded by enforcing the rules of international law.

"After my last speech Lord Curzon recalled the fact that I have repeatedly expressed the desire to conclude peace, and he displayed some doubt in regard to the possibility of attaining that object.

"It seems to me unnecessary to explain what efforts my Government and I have already made and will continue to make with a view to concluding peace. It is the hope of obtaining recognition of our rights which guides us in every question and impels us to set forth our views frankly and without any hidden design. We are actuated by the broadest spirit of conciliation and understanding, and we have no desire to trespass on the rights of others. I have always said that the Turkish people, despite recent events and the results achieved after so much suffering and at the cost of incredible sacrifices, has in no way enlarged its just claims; it has always regarded itself as bound by its National Pact, which was concluded in 1920 in the midst of the gravest crisis in its history. I therefore wish to repeat what I have had the honour to state ever since the first day.

"It is complained that we speak too often of Turkish sovereignty. We represent here a nation which is conscious of its independence and desirous of attaining a just peace. We came to the conference with the assurance that we would be treated as equals. The reason why we have frequently spoken of our sovereignty is that we have been compelled to do so owing to the proposals made to us, which were calculated to injure that sovereignty. No other sovereign State, not even Greece, has been confronted with proposals of this character.

"The Turkish people has the right, first and foremost, to be regarded like any other independent nation.

"There will therefore remain no obstacle to the conclusion of peace as soon as it is agreed, in accordance with the assurances given to us, to treat us on a footing of complete equality in all the questions discussed at the conference, with respect for our sovereignty and for our right to live. It will thus be seen that the key of peace is in your hands.

"The upshot of all these considerations is that the Turkish delegation, after examining the views of the Allies with the greatest care, have given proof of extreme goodwill by expressing their readiness to negotiate regarding the conditions under which nationals of the Allied Powers can settle in Turkey. These provisions take the place of the Capitulations in States whose relations are governed by the principles of general international law. The judicial Capitulations were in fact part of the régime for foreigners in the Ottoman Empire, contrary to the general rules. The schemes concerning the settlement of foreigners in Turkey will contain provisions whereby Allied nationals will be enabled to enjoy judicial protection and to have free access to the courts. The Turkish delegation would be justified in claiming that all questions affecting foreigners should be reserved exclusively to Turkish courts, but they are showing their conciliatory spirit by agreeing that the national courts in the countries to which those foreigners belong should decide cases of foreign family law, *i.e.*, those concerning celebration, jactitation and nullity of marriage, divorce, restitution of conjugal rights, judical separation, paternity, affiliation and adoption, and also foreigners' lawsuits connected with coming of age, emancipation of minors, deprivation of civil rights, guardianship and trusteeship.

"The Turkish delegation wish to add that they would have no objection to the provisions which deal with these matters as regards the juridical position of foreigners being supplemented by detailed provisions concerning the protection of the law, on the lines of international conventions, the bases of which are most liberal, and consequently most favourable and advantageous to foreigners.

"The Turkish delegation earnestly hope that the Allied delegations, being animated with the desire not to ignore the legitimate rights of Turkey, will agree with the latter in recognising that the contractual guarantees which we propose,

coupled with those provided by Turkish law, will guarantee to their nationals all the security required to enable them to co-operate in developing the resources of the country—a co-operation the value of which is fully appreciated by the Turkish people."

MARQUIS GARRONI spoke as follows:—

"I had greatly hoped that the time which has elapsed since the last meeting of this commission, and the explanations given to Ismet Pasha in the course of friendly conversations might have sufficed to induce the Turkish delegation to come to an agreement on the question of the Capitulations. It is therefore a matter of regret to me to find that, on the contrary, the Turkish delegation, as shown by the statement just made by them, adhere to their previous decision.

"I believe I may assume that, as regards the Capitulations, the Turkish delegation are concerned not only with the essence of the problem, but also with the effect which might be produced on Turkish public opinion by a compromise on this question. As regards the root of the matter, I will not now repeat the many arguments brought forward at the previous meeting, not only by myself, but also—and with greater force—by the representatives of other delegations. I wish, however, once more to bring out clearly the nature of the question, and I feel it is necessary to give this résumé in order that public opinion, which takes so large a part in the solution of the most difficult problems, may be in a position to judge with full knowledge of the facts.

"The Turkish delegation asked for the suppression of the Capitulations without drawing any distinction between the economic and judicial Capitulations. For our part we felt it necessary, first of all, to eliminate the disagreeable character which people in Turkey were generally inclined to attribute to the provisions regulating the position of foreigners, by recalling the fact that the Capitulations were nothing more nor less than conventions concluded between the parties thereto in their mutual interest.

"These are the facts. We ought to banish from our minds all erroneous ideas and recognise things as they are in their real essence.

"This point having been established, we observed that if it is desired to put an end to those conventions which are based on the fact that for many years they have governed the relations between foreigners and Turks, we would not object to the application of a new system as regards that part of the Capitulations which deals with material interests. We accepted the Turkish argument without any important reservation when we consented to equality of treatment as between foreign and Turkish nationals. Serious exceptions might, however, have been required, for it is easy to realise the prejudice suffered by persons who go to a foreign country on the strength of advantages secured to them in that country and then find that their position is modified all of a sudden, without any transitory period, in consequence of the State adopting a new policy, which, even if it is based on sound reasons, tends to abolish at one blow the conditions existing in the past.

"In matters concerning the judicial Capitulations, we agreed to suppression as a general principle, but this question is much more delicate because it relates to litigation and especially to the personal freedom of foreigners. We therefore asked for guarantees, though for a limited period only, so that we could feel morally and materially convinced that the law and the bench meet the requirements of modern life. Even as regards this transitory period, our proposals were so framed as not to infringe Turkish sovereignty, and we requested that, in the event of these proposals being considered unacceptable, the Turkish delegation should put forward other proposals which we could discuss.

"What more could we do in order to reach an agreement.

"As I have already said, I am convinced that in this matter of the Capitulations the Turkish delegation are as much concerned with the public opinion of their own country as with the merits of the question itself. If this is so, Turkish public opinion ought to be acquainted with the situation, and should not be allowed to think that it is desired to impose on Turkey something calculated to injure her dignity.

"When the facts have been presented in their true perspective, public opinion certainly ought to draw conclusions and examine matters in relation with the past, which cannot be destroyed in a single hour, especially when bilateral undertakings are involved; with the present, which should be regulated in such a way as to prevent injurious consequences; and with the future, for which such preparation must be made as will confer on the people and the Government not difficult conditions, but prosperity.

"Having spoken thus, it only remains for me to ask whether other delegations wish to make any suggestions."

LORD CURZON wished to say a few words in regard to Ismet Pasha's speech. When his Excellency asked at the last meeting for another meeting of the commission at an early date, at which he would deliver his reply, Lord Curzon had hoped to hear from Ismet Pasha something more than a mere answer to the criticism made by the Allies on his previous statement. He had hoped that after more than a week the Turkish delegation would make some independent contribution to the solution of this grave question, but they had done nothing of the kind. All that Ismet Pasha had just proposed was that, instead of dealing with this difficult question at the conference and in the treaty, separate treaties should be negotiated between the Allied Powers and Turkey later on in regard to the conditions under which Allied nationals should live and conduct their business in Turkey. Had not his Excellency forgotten the main point, namely, that there would be no inducement to the Powers to conclude such treaties if their subjects were to live and work in Turkey under the existing conditions of the courts of law? Not only did Ismet Pasha produce no counter-scheme of his own, but he also appeared to make insufficient allowance for the generosity of the Allied proposals, which had just been summarised by Marquis Garroni. When the delegations came to Lausanne, Ismet Pasha had complained to Lord Curzon very strongly of the manner in which the decisions of the courts were controlled by dragomans under the old system; that was gone. His Excellency also complained of the presence in the mixed courts of foreign judges responsible only to the consular authorities; that also it was proposed to change. The system submitted by the Allies to the Turkish delegation would give Turkey courts which would be free to carry out their decisions without any outside control. The courts would be composed entirely of professional judges, responsible not to the Powers, but to the Turkish Government. These were very considerable concessions, but if they were not acceptable to the Turkish delegation, why did not the latter produce an alternative of their own, instead of merely presenting an inflexible negative?

Ismet Pasha had then proceeded to reply to some of Lord Curzon's observations at the previous meeting. Among other things he called attention to the character of certain acts which had taken place in Constantinople since the Allied occupation. Lord Curzon wished to remind his Excellency that there was no analogy between the circumstances existing during a military occupation and those that arise in the ordinary conditions of life. What all the delegations wanted was to build up a system whereby foreigners could live contentedly and pursue their businesses in Turkey; therefore what they had to compare was the normal conditions prevalent in other countries and the conditions which would exist in Turkey if the Capitulations were abolished and nothing were put in their place.

There was one part of Lord Curzon's speech, however, to which Ismet Pasha did not reply. Lord Curzon had pointed out that the conduct of the courts, the proceedings of the police, the administration of justice and the character of the present system were such as to cause a great lack of confidence among foreign peoples. The only reply which Ismet Pasha could now make was that sometimes abuses of justice and delays in carrying out sentences occurred elsewhere. But there was a two-fold difference. Firstly, the cases of failure and delay of justice elsewhere were very small in number and very unimportant in scale. Secondly, the administration of justice in most other countries was such that people were content to live and conduct their business under that system. Surely Ismet Pasha must realise that the case in Turkey was quite different. Take the commercial communities of foreigners established at Constantinople and Smyrna. These were not only very ancient, but also of great importance and vital to the commercial existence of Turkey herself. How was it possible to compare these communities with the tiny commercial communities scattered about in the former provinces of the Turkish Empire, to which Ismet Pasha had referred? These commercial communities in Turkey were now unanimous in asking for these safeguards. Surely they had some right to be heard as regards their own interests. And what would happen if no attention were paid to their demands? Two consequences would ensue. Firstly, a great many of them, as Lord Curzon had previously pointed out, would shut up their places of business and go away; and, secondly, as regards those who remained (and Lord Curzon invited Ismet Pasha's special attention to this point) there would be constant friction between the foreign Governments and the Turkish Government, because these people would be exposed to a judicial system and a police system which they distrusted and therefore would always

be appealing to their own Governments for protection. Thus, instead of producing those peaceful relations between the Governments which everyone at the conference desired, there would be a constant state of irritation and dispute.

Ismet Pasha had concluded his statement by saying that all the delegations were making efforts in the direction of peace. Lord Curzon only wished that some of these efforts were better directed. The new year had already come, and not much time remained before the conference must come to a close. Ismet Pasha had once more expressed the desire to conclude a treaty; that was the desire of all the delegates present. It was absolutely essential to arrive at some arrangement on this subject. Lord Curzon earnestly trusted that during the next few days the Turkish delegation would consider very carefully whether it was desirable or wise on their part to leave the matter where they had left it that day.

M. BARRÈRE said that he had followed with close attention the remarks of the president of the commission, which could not have been couched in more moderate and conciliatory language, showing how the discussion had reached its present stage. He had also listened to Lord Curzon's most interesting comments. He would not presume to repeat what had been so ably expressed by these two speakers. He therefore concurred entirely in the statements made by Marquis Garroni and Lord Curzon in regard to the character of the proposals made by the Allies to the Turkish delegation. He expected to hear the latter formulate counter-proposals which would have made it possible to seek some common ground for agreement, lying between the uncompromising attitude hitherto adopted by the Turkish delegation and the very moderate views of the Allies

M. Barrère confessed his disappointment at the non-appearance of any means whereby the problem could be examined afresh in that broad spirit of moderation which animated the representatives of the inviting Powers. It was not merely a question of obtaining guarantees for Allied nationals; Turkey's own interests—economic, financial and material—were also at stake. If Allied nationals did not receive a certain minimum of guarantees in Turkey they would be impelled to leave the country, which would suffer most seriously by their departure. M. Barrère said he would be glad if the Turkish delegation would be so good as to give serious consideration to this point when they examined the question further, as the Allied delegations expected them to do.

ISMET PASHA thought that he had replied to all the arguments in regard to the Capitulations in his statement at the beginning of the meeting. Out of deference to the delegates who had just spoken he wished to add a few words in order to define his views more closely.

Marquis Garroni had said that guarantees were asked of the Turks for a limited period so that people might be morally and materially convinced that the Turkish law and bench of judges met the requirements of modern life. Ismet Pasha repeated that Turkish law was consonant with the requirements and necessities of modern States, and offered complete security to foreigners who wished to settle in Turkey. The conference was not called upon to examine the question with an eye to the effects which might be produced outside; the matter should be investigated objectively with regard for the rights of Turkey and local needs.

It was no fault of the Turkish delegation that a week had passed since the last meeting of the commission, for they could have given their reply the very next day, and their views on the principle involved were already fixed. That was why Ismet Pasha had asked (as the commission would recollect) that the next meeting should take place as soon as possible.

In connection with the examples quoted by the Turkish delegation in reply to those brought forward by the British delegation, Lord Curzon had said that normal conditions could not be compared with those which exist during a period of military occupation. Ismet Pasha said that he had anticipated this remark and had spoken with full knowledge of the facts; all the actions to which he had alluded had taken place at Constantinople during the same period and under the same conditions.

It had further been alleged that the Turkish people itself was not completely satisfied with Turkish administration of justice. The Turks were certainly just as well satisfied with their laws and administration as other nations were with theirs. There was no reason why foreigners resident in a country should demand more guarantees and privileges than the people of the country. The most efficacious guarantee imaginable lay in the simple, just and reasonable character of the laws which applied to Turks and foreigners alike. Foreigners would never feel completely safe nor have the necessary

respect for the local authorities so long as they relied on having recourse to foreign judges and authorities. If, on the other hand, they were subject to one régime in common with the people of the country, they would come to understand that the best security of all lay in uniformity of the law, which would redound to their advantage in all spheres of activity.

The Turkish delegation were inspired with the most profound and sincere desire to attain a peace comprising all those conditions of stability which previous experience demanded. The essential condition for this stability was that the Turks should be treated in the same way as other nations. The Allies stated that they honestly recognised this right. If this recognition were real and unrestricted, the conference would have achieved very material progress.

Ismet Pasha, therefore, felt that he had set forth and explained in a most friendly manner the counter-proposal submitted by him at the beginning of the meeting. He hoped that the views of the Turkish delegation on the judicial Capitulations would be examined by the Allies in a sense of equity, and that they would finally be recognised as being entirely just and moderate.

MARQUIS GARRONI hoped that time would bring good counsel. History provided examples of a solution having been reached in even more delicate problems.

(The commission rose at 6 P.M.)

E 815/1/44 No. 89.

Papers forwarded by the British Delegation at Lausanne (No. 60).—(Received January 20.)

(1.)

Ismet Pasha to the Marquess Curzon of Kedleston.

Cher et Honorable Lord Curzon, *Lausanne, le 16 janvier* 1923.

DANS l'entretien que j'ai eu l'honneur d'avoir hier avec votre Excellence, nous avons touché un point de la question des Capitulations qui précédemment avait été à maintes reprises étudié dans les commissions et je vous ai réitéré et confirmé le point de vue turc à ce sujet.

Pour le cas où les délégations alliées conserveraient l'espoir qu'il serait possible pour la délégation turque de trouver une solution au sujet de la demande relative à l'acceptation par la Turquie d'un système judiciaire différent de ceux en vigueur dans les autres pays, mon devoir et le respect que je nourris à l'égard de votre Excellence me portent à préciser de suite qu'une pareille possibilité n'existe pas.

En effet, la Turquie n'acceptera pas des stipulations permettant de lui appliquer un traitement différent de celui appliqué aux autres États.

Comme son Excellence Mr. Child assistait également à notre entretien d'hier soir, j'ai cru devoir lui écrire aujourd'hui pour lui communiquer aussi le point de vue susénoncé.

L'espoir que je nourris au sujet de la reconnaissance par les Puissances alliées des droits de la Turquie dans la même mesure que sont reconnus les droits de la Grèce ainsi que ceux de tous les États du monde forme la base de mes espérances au sujet de la paix.

Veuillez, &c.
M. ISMET

(2.)

Sir H. Rumbold to Ismet Pasha.

Your Excellency, *Lausanne, January* 18, 1923.

IN a recent conversation with me your Excellency suggested the advisability of reassembling the First Sub-Commission of the Second Commission, of which I was chairman, with a view to continue the examination of the clauses on establishment, the discussion of which had not been completed when the labours of the commission were interrupted owing to the attitude of the Turkish delegation as regards the connected question of the future judicial régime for Allied subjects.

Whilst this suggestion has received the most careful consideration, I regret to have to inform your Excellency that, in the view of the British delegation, no useful purpose

would be served by a resumption of the discussion of the establishment clauses so long as the Turkish delegation maintain in regard to the essential question of the judicial régime the point of view which they have hitherto sustained, and which is reaffirmed in your Excellency's personal letter to Lord Curzon of the 16th January.

The British delegation are unable to accept this point of view, and it seems to them useless to resume the work of the sub-commission unless and until the Turkish delegation are in a position, if not to accept the Allied proposals regarding the judicial régime, at least to formulate some counter-proposal of their own.

I take this opportunity of reminding your Excellency that, as I pointed out in my speech at the meeting of the Second Commission on the 28th December, there is another important question with which the First Sub-Commission would have had to deal in due course, but which has necessarily remained in abeyance, namely, the question of the arrangements governing Allied religious, charitable and scholastic institutions in Turkey.

I avail, &c.
HORACE RUMBOLD.

No. 90.

The Marquess Curzon of Kedleston to Mr. Lindsay.—(Received January 21.)

(No. 215.) By Bag.
(Telegraphic.) *Lausanne, January* 19, 1923.

I HAVE now decided upon final course of action to be taken about Mosul. Inasmuch as complete treaty is to be presented to Turks, and as this must contain either definition of or reference to southern frontier of Turkey in Asia, and as it would not do to give treaty recognition to Turco-French frontier, which was settled by Franklin Bouillon Agreement behind our backs, but at the same time to leave in air or to make no mention of Irak frontier, it is necessary to bring the matter before the full commission over which I preside. I have accordingly informed the Turkish and Allied delegations that I propose to take the case on Tuesday next. Advantage of this procedure will be that Turkish case for Mosul will be stated, in its full weakness, to world, and that I shall have the opportunity of summarising the arguments contained in my various printed memoranda in a concise and, I hope, effective reply. I shall hope also to dissipate the fumes of suspicion that have arisen in such noxious abundance from the still untapped oilfields on the Mosul area.

The Turks will probably have asked in their opening declaration either for a complete or a partial restitution of the vilayet or conceivably for a plebiscite of its inhabitants.

I shall refuse all these demands on the grounds previously submitted to, and approved by, His Majesty's Government.

I propose then to say that since it has been found impossible to find a common point between the widely divergent views of the two parties, His Majesty's Government, relying upon the strength of their case, are quite content to refer the determination of the frontier to independent enquiry and decision; and that, in view of the fact that the area in dispute is a portion of mandated territory, over which we exercise mandatory powers in response to an invitation from the League of Nations in October 1921, and that we could not surrender or modify that obligation without reference to the League, it is the latter body that we propose to invite to undertake the task. I shall ask the Turks to concur in this reference, both for the reasons already given and because, if a treaty be signed, they will shortly be members of the League themselves.

They may respond either by a refusal or by a request for time to consider, or by a suggestion for arbitration outside the League.

It might be difficult to decline the second request straight away. The third should, I think, be refused.

The case does not unfortunately come under article 12 of the Covenant. Turkey not being as yet a member of the League. If, however, she signs the treaty and becomes a member before the enquiry takes place, article 12 and the succeeding articles will apply.

In the opposite case, either of Turkish refusal or Turkish delay, it is still open to me, and I am disposed to invoke article 11 of the Covenant, seeing that the rumours and even threats of Turkish military advance upon Mosul are undoubtedly sufficiently definite to constitute a menace to international peace and to the good understanding between nations. In that case Turkey would be invited under article 17 to accept

membership for the purposes of the dispute. If she accepted, she would fall under the operations of articles 12 to 16. If she refused and invaded Irak, the stringent sanctions of article 16 would then be applied to her with the united power of the League.

Proceeding upon the above lines, it seems to me that I have the Turkish delegation in a cleft stick, and that whatever attitude they may adopt, I ought to have the advantage of them both in the effect upon public opinion and in the practical solution of the problem.

France and Italy, who are bound by the pledges which I exacted before opening this conference, will be committed not merely to support any such solution at the meeting here, but to support the vindication of our full territorial claims, should the League decide after enquiry that they are just.

As regards other matters, my representations to Ismet about Capitulations, as reported in my telegram No. 210, proved ineffective, although there appears to be some slight reason for believing that his written reply of refusal was only a repetition of the stereotyped formula, and that what he will neither propose himself nor accept at this stage if proposed by others the Turkish delegation may ultimately be content to swallow if imposed as part of a dictated treaty. Anyhow, realising that nothing more can be expected from private conversations, an Allied committee has been sitting since then to draw up the judicial scheme most likely to accord with Turkish susceptibilities, while safeguarding the due interests of foreigners, and this will be embodied in a convention attached to the treaty, and presented with it, accompanied by a unilateral declaration from the Turks as to the action required from them.

English press, which not unnaturally frets at the inordinate length of these proceedings and is apt to speak of the conference as degenerating into a farce, is hardly aware of the enormous and hourly difficulties that confront every attempt on my part to go ahead. Nor is it any great consolation to me to know that I am being simultaneously abused by the French press for the abrupt and tempestuous manner in which I am supposed to be interfering with the stately goose-step of the French delegation.

No. 91

The Marquess Curzon of Kedleston to Mr. Lindsay.—(Received January 22.)

(No. 218.) [By Bag.]
(Telegraphic.) *Lausanne, January 20, 1923*

RENUNCIATION of Turkish rights in territories detached

Your telegram No. 137 of 16th January

Words to which India Office object will be omitted.

No. 92.

The Marquess Curzon of Kedleston (No. 71) to Mr. Henderson.—(Repeated to Foreign Office; Received January 21.)

(No. 220.)
(Telegraphic.) *Lausanne, January 20, 1923.*

YOUR despatch No. 19

Ismet Pasha having sent me memorandum accusing Greeks of outrages on Moslems in Greece, and of violations of Mudania Convention with the alleged countenance of the Allies, I have sent strong reply, in which I have drawn attention to the manner in which Turks are disregarding their own obligations under that convention, and have energetically demanded release of the two British airmen detained since 14th December.

No. 93

Mr. Henderson to Mr. Lindsay.—(Received January 21.)

(No. 32.)
(Telegraphic.) *Constantinople, January 21, 1923.*

ADNAN BEY came to see me yesterday on his return from Ismid. He was more cheerful and confident of peace than I have known him. He said himself that his impression, after conversation with Mustapha Kemal, was most favourable As I believe Adnan to be a firm pacifist this should be good sign I fear, however, that he carries little weight in the councils of his Government. Motives of Mustapha

Kemal's tour are not obvious, and it is curious that he should have chosen moment when his attendance in Grand National Assembly might have been thought indispensable. Ostensible object is doubtless military, and with a view to enhancing pressure of his army through his presence with it at [? groups omitted] probably have been taken earlier if Mustapha Kemal's position at Angora had been more secure. This impression is confirmed by nature of his speeches and declarations to press, which have so far been comparatively anodyne and chiefly concerned with future internal politics and economics of new Turkey. He has beaten war drum less loudly than might have been anticipated.

The two objectives of military bluff and electoral campaign can be pursued concurrently. It is also possible that Mustapha Kemal prefers to be absent from Grand National Assembly at the precise moment that it has to decide whether to accept or reject treaty.

His absence, owing to his close connection with Ismet, would leave Assembly more freedom to reject anything latter might sign, [? thereby] both increasing pressure on Allies and also leaving loophole against irrevocability in the event of rejection

(Sent to Lord Curzon, No. 41.)

[E 838/1/44] No. 94.

Lausanne Conference on Near Eastern Affairs.

(Strictly Confidential.)

TERRITORIAL AND MILITARY COMMISSION.

Draft Minutes of the Nineteenth Meeting, January 9, 1923, at 4 P.M., under the presidency of Lord Curzon.—(Received in Foreign Office, January 22.)

Present:

BRITISH EMPIRE.	FRANCE.	ITALY.
The Marquess Curzon of Kedleston.	M. Barrère.	Marquis Garroni.
Sir Horace Rumbold.	M. Bompard.	M. Montagna.
		M. Lago.
UNITED STATES OF AMERICA.	**JAPAN.**	**GREECE.**
Mr. Child.	Baron Hayashi.	M. Veniselos.
Admiral Bristol.	Mr. Otchiai.	M. Cachamanos.
Mr. Grew.		
ROUMANIA.	**SERB-CROAT-SLOVENE STATE.**	**TURKEY.**
M. Diamandy.	M. Rakitch.	Ismet Pasha.
		Riza Nour Bey.

Also present:

BRITISH EMPIRE.	FRANCE.	ITALY.
Sir W. Tyrrell.	M. Fromageot.	M. Arlotta.
Mr. Malkin.	M. Laporte.	M. Guariglia.
Mr. Ryan.	Lieut.-Col. Courtin.	M. Galli.
Lieut.-Colonel Heywood.	M. Bargeton.	M. Polverelli.
Mr. Nicolson.	M. de Perein.	
Mr. Forbes Adam.	M. Barois.	
Mr. Leeper.	M. Sanguinetti.	
Mr. McClure.		
UNITED STATES OF AMERICA.	**JAPAN.**	**GREECE.**
Mr. Dwight.	Mr. Nagaoka.	General Mazarakis.
Mr. Amory.	Mr. Sato.	M. Dendramis.
	Mr. Koshida.	M. Politis.
ROUMANIA.	**SERB-CROAT-SLOVENE STATE.**	**TURKEY.**
M. Contzesco.	M. Antitch.	Chukri Bey.
		Dr. Nihad Reshad.

Secretaries :

M. Massigli, *Secretary-General of the Conference.*

British Empire.	France.	Italy.
Mr. Spring-Rice. Mr. Wicks.	M. Lagarde.	M. Ipdelli.
United States of America.	**Japan.**	**Greece.**
Mr. Belin.	Mr. Hotta.	M. Collas.
Serb-Croat-Slovene State.		**Turkey.**
M. Georgevitch.		Rechid Safvet Bey.

Interpreter. M. Hervé.

THE commission had before it M. Montagna's report on the work of the Sub-Commission on Minorities (Annex (A)).

M. MONTAGNA reminded the commission that the questions referred to the sub-commission were of two kinds: Firstly, those concerning the general protection of all minorities settled in Turkey, and, secondly, those concerning particular ethnical groups resident in that country. As regards the first category of questions, the sub-commission had succeeded, thanks to a sincere effort of conciliation, in reaching almost complete agreement on a set of clauses designed for the purpose of guaranteeing the protection of minorities in an efficacious manner. The delegations had consequently been able, by common consent—

(*a.*) To define the persons whose protection was to be ensured by these clauses.
(*b.*) To establish the principle of absolute equality, both civil and political, between non-Moslem minorities and Moslem Turkish nationals.
(*c.*) To guarantee to those minorities complete liberty to use their own languages in all spheres of social life, religious freedom and liberty of the press.
(*d.*) To ensure that their pious, religious, charitable, educational and social institutions in general should be preserved and safeguarded.

These provisions were no doubt of the greatest importance, but none of them was of so much value to the minorities as that regarding personal status and family law. The whole of these provisions was placed under the guarantee of the League of Nations.

The sub-commission had been much less fortunate as regards the second part of its programme, *i.e.*, the questions concerning certain ethnical groups resident in Turkey. As it had not been able to reach agreement on this subject, it had been obliged to refer back to the main commission the questions of the Armenians, the Assyro-Chaldeans and the Bulgarian emigrants in Eastern and Western Thrace. In all these questions the sub-commission had met with an absolute refusal on the part of the Turkish delegation.

Nevertheless, M. Montagna still cherished the hope that the Turkish delegation, realising the interest taken in these questions by public opinion all over the world, and taking into account the purely humanitarian spirit by which the Powers were guided in making their recommendations on this subject, would not bar the road to negotiations whereby the Powers were seeking to secure the triumph of a great moral cause.

Apart from this, there remained two points of disagreement which required a solution :—

(*a.*) The exemption of non-Moslems from military service
(*b.*) The extension of the amnesty.

The Turkish delegation definitely refused to exonerate non-Moslems from military service, because they were not willing to infringe the principle that all are equal in the eyes of the law; because they were apprehensive lest a favour of this kind might increase the economic strength of the non-Moslem population in Turkey:

and because they feared that if the non-Moslems escaped military service they might increase in numbers to the detriment of the rest of the population. They indicated, however, that if the principle of exemption from military service were admitted by Turkish legislation in whole or in part, that principle should be applied to all Turkish nationals alike.

In the matter of the amnesty, it was agreed in principle that this amnesty should be as broad as possible, so as to assist materially in the calming of passions. Differences on this subject were confined to certain points of detail.

M. Montagna was convinced that there would be no difficulty in reaching agreement on these two points. He trusted that the commission itself might succeed in bringing about that agreement, by appealing to the spirit of goodwill and conciliation which had characterised the greater part of the sub-commission's labours. Such agreement would doubtless be an excellent omen for the restoration of peace, which was so ardently desired by the conference and so eagerly awaited by the whole world.

M. BARRÈRE spoke as follows :—

"I have followed with quite exceptional interest the discussions at the Sub-Commission on Minorities, dealing as they did with a matter in which France has felt very special concern, owing to the ancient traditions of her Eastern policy.

"M. Montagna's eminently clear and full report has revealed to me that on most of the questions referred to it the sub-commission has succeeded, after arduous and sometimes lively debates, in reaching an agreement which bodes well for the future.

"The scheme laid before us is almost entirely based upon treaties already concluded with most of the Powers whose territories contain minorities, so that the sovereignty and independence of Turkey are completely safeguarded—thus entirely meeting the wishes which the Turkish delegation have frequently expressed.

"The concessions made by the Allies have been many in number and important in character, as the Turkish delegation have doubtless observed. To mention only two instances, the Allies have waived their demand for the constant presence in Turkey of a representative of the League of Nations, and the special guarantees provided by the scheme under discussion have been limited to non-Moslems. These two concessions are tangible signs of a conciliatory spirit on the part of the Allies, and Turkish public opinion will see in them a proof of the Allies' benevolent dispositions towards Turkey.

"I am confident that the Turkish delegation will, for their part, bear these concessions in mind when they examine the points which still require discussion by the conference, and will display the same conciliatory disposition as the Allied representatives—particularly as regards the object of the present debate, namely, the amnesty and military service for non-Moslems

"Finally, I should be glad to see the Turkish delegation take into consideration a matter which is specially deserving of interest: the fate of the various ethnical groups; for instance, the Armenians and Assyro-Chaldeans, who have been so sorely tried during the last few years, and the Bulgarians.

"At a moment of such great importance in the history of Turkey, who is evidently desirous of entering upon a new path, nothing could win for her such universal sympathy as the adoption by her own free will of measures calculated to efface the resentment of past years and to encourage the peaceful development of these minorities, since the confident collaboration of all ethnical elements in the population would be the surest guarantee of her future prosperity."

ISMET PASHA wished to begin by thanking the Minorities Sub-Commission for the manner in which it had conducted its labours. He recognised that the sub-commission had examined and discussed the questions submitted to it in a truly conciliatory spirit which deserved all praise. It had proved possible to reach agreement on many points, chiefly owing to the fact that the Turkish delegation had accepted the provisions embodied in other treaties of guarantee signed by certain European States, while endeavouring to adapt these provisions to the local needs and special position of the minorities in Turkey.

But although there was agreement on the essential questions, two points remained which still required solution :

1. The exemption of persons belonging to non-Moslem minorities from military service; and
2. The general amnesty.

The Turkish delegates had not failed to set forth to the sub-commission in detail the serious reasons which prevented them from accepting the views of the Allied

Powers in the matter of exempting non-Moslem minorities from military service. There was, therefore, no need to go into that question again.

As regards the amnesty, the most important point in the opinion of the Turkish delegation was this: As an effort was now being made to assuage the sorrows of war and people were acting in a spirit of great tolerance and generosity towards those who had taken part in it, the same measures of clemency and pardon should be meted out to such Allied nationals as might have lent any assistance to the Turkish cause.

Ismet Pasha hoped that it might prove possible, in consequence of the conciliatory spirit shown on both sides, to devise a satisfactory solution of these two questions.

Turning to the question of national homes for particular groups, he observed that the Allied proposals on this matter would involve the dismemberment of Turkey. The Turkish delegation therefore could not so much as embark on a discussion of any system of this kind.

As regards the Bulgarian minorities, Ismet Pasha confined himself to remarking that it was impossible to reopen the question of an exchange of populations carried out ten years ago, on the strength of conventions concluded in due form by Turkey and Bulgaria.

In conclusion he once more expressed the hope that agreement would finally be reached on the two essential points which were still in suspense—amnesty and military service.

M. VENISELOS said that he did not wish to restate to the commission the arguments which he had developed at length before the sub-commission. When the Turkish delegation argued that the principle of equality of all in the eyes of the law would be infringed by exempting a particular category of citizens from military service, he had replied with a proposal to take away from the non-Moslem minorities the right of taking part in the affairs of the country. It seemed to him that equality would be re-established if these minorities were deprived of political rights. Besides, the equality of which the Turkish delegation made use as an argument did not, in fact, exist as between Moslems and non-Moslems in regard to military service: for whereas the Moslems served in an army where all officers and non-commissioned officers were of their own religion, the non-Moslems only served in the ranks, and their real position was entirely different from that of the Moslems.

As regards the amnesty, M. Veniselos indicated that it would not be difficult to reach agreement; but he asked that on one point in the draft of the Allied delegations a limitation might be made. His proposal was to insert the following provision between the first and second paragraphs of the draft:—

> "The operation of this measure shall not extend to breaches of military laws and regulations committed by Greek military persons in Greece and by Moslems in Turkey during their active service in the regular army."

In his opinion, there was no ground for pardoning military offences committed by such military persons as could not plead in their favour that they were fighting for a cause to which they had conscientious objection. The inevitable consequence of letting these persons benefit by the amnesty would be to weaken military discipline. In this respect the Greek and Turkish delegations were in agreement. On the other hand, there was no ground of general interest on which the Allied Powers could ask for the pardon of these offences, especially when they were committed by officers and non-commissioned officers; M. Veniselos therefore hoped that the commission would accept his proposal.

M. MONTAGNA pointed out that the question raised by M. Veniselos had already been discussed at great length by the sub-commission. The Allied delegations had throughout rejected all proposals to limit the scope of the amnesty, for such restrictions would have infringed the principle adopted, which was to make the amnesty as wide as possible. It was incontestably of the greatest interest to the Powers to secure the utmost comprehensiveness in the pardon of offences, for there were great practical difficulties in the way of distinguishing between military and political misdemeanours, especially when they had been committed in exceptionally troublous times.

The purpose of the Powers in declining to accept M. Veniselos's proposal was to prevent the amnesty becoming inoperative in political cases. The Powers felt that by championing the cause of pardon they were contributing to the general restoration of peace, not only between nations, but also within each nation; this action was both politically advantageous and consonant with highest moral ideals.

ISMET PASHA read the following declaration in continuation and completion of his previous statement:—

> "Turkish nationals who have been arrested in Turkey by the Allied authorities on political, military or common law charges, or for reasons based on public interest or police measures or any other reasons, and have been conducted outside Turkey, must be handed back to the Turkish Government.
>
> "The provisions regarding the amnesty would be left incomplete if the question of prisoners of war were not taken into account. We therefore ask that a clause respecting reciprocal amnesty for prisoners of war, and also for civilian prisoners who have committed any punishable offence, may be included in the treaty."

M. MONTAGNA reminded the commission that the question of prisoners of war was under examination by the military experts, who had not yet expressed their opinion. It should be possible to separate this question provisionally from the proposals now under discussion.

M. VENISELOS regretted that he could not regard M. Montagna's reasons for rejecting the proposal of the Greek delegation as convincing. There was no disagreement between the Greek and Turkish delegations on this point. As the two delegations which were directly interested did not differ on the subject, there appeared to be no need for the Powers (who had not been asked to arbitrate) to impose on Greece a measure which was most repugnant to her. There had never been any military conflict between Greece and the inviting Powers: on the contrary, during the greater part of the war Greece had been on the Allied side. M. Veniselos was surprised to find that when there was no disagreement between the Greek and Turkish delegations the Allied Powers should insist on imposing a measure of which the Greek people strongly disapproved

LORD CURZON spoke as follows:—

"As I am president of the commission which deals with this matter, and as the report of the sub-commission has been addressed to myself, some observations may be expected from me. It would be unfortunate if a matter of this supreme importance were dismissed in the course of half an hour. The commission ought also to have a general idea of what the sub-commission has succeeded in achieving, and of the points on which it has not yet arrived at a result.

"I desire to associate myself with the compliments that have been passed by the previous speakers upon the labours of this sub-commission. It has met sixteen times, it realised the extreme gravity of the question, it has worked hard, and as his Excellency Ismet Pasha has just said on the whole all the participants have shown a conciliatory spirit. I think an especial tribute of thanks is due to the chairman, M. Montagna, who, during the last two or three weeks, has laboured unceasingly with a patience and sincerity beyond compare in order to arrive at the report which has just been presented.

"What has the sub-commission succeeded in effecting? The general nature of the guarantees secured was briefly summed up in M. Montagna's speech, and is stated as follows in his report:-

> "'The Turkish delegation have agreed to guarantee to the non-Moslem minorities the enjoyment of the same civil and political rights as to Moslems, equality before the law of all inhabitants of Turkey without distinction of religion, freedom for all Turkish nationals to make use of such languages as they wish in their private and commercial intercourse, and also as regards religion, the press and public meetings. Turkish nationals who use a language other than Turkish will also enjoy suitable facilities for speaking in their own language before the courts. As regards charitable, religious or social institutions, schools and other educational establishments, the non-Moslem minorities will have the same rights as all other Turkish nationals, but suitable facilities will be given to them as regards public education in the towns and districts where the non-Moslem minorities reside in considerable numbers.'

"M. Montagna further told us that all these stipulations are to be placed under the guarantee of the League of Nations.

"The second point of common agreement is that raised by the difficult question of the family law and personal status of non-Moslem minorities. In this respect the Turkish delegation, I am glad to say, showed a conciliatory spirit. Arrangements

are to be elaborated by a special commission composed of Turks and representatives of the minorities concerned, with reference, in case of dispute, to an arbiter to be agreed upon by the Turkish Government and the League of Nations. I therefore hope that in these respects we shall obtain substantial guarantees for the application of the laws and established usages of these communities.

" There is a third point which has not yet been mentioned, but on which I desire to offer a tribute to the conciliatory spirit shown by the Turkish delegation, namely, that they have accepted the outcome of efforts made by the Allied Powers since the armistice to bring back Islamised women and children to their homes or communities, and to replace Christians in possession of property arbitrarily taken from them during the war. The Turkish delegation refused to bind the Turkish Government to any continuance of this work of restitution, but agreed not to dispute the action already taken under the auspices of the Allies and to submit to arbitration all cases in which such action might be contested by individuals.

" I next turn to the two great concessions which, as M. Barrère has just observed, were made by the sub-commission in deference to representations from the Turks. The sub commission originally pressed for the inclusion of all racial minorities, Moslem and non-Moslem—for instance, the Kurds, Circassians and Arabs. The Turkish delegation insisted that these minorities required no protection, and were quite satisfied with their lot under Turkish rule. I hope that this will be the case. Anyhow, the sub-commission, relying on this assurance, agreed, though reluctantly to restrict the demand for protection to non-Moslems. I believe they hope that in article 2 may be found sufficient protection for these minorities. I do not feel very confident, but I hope for the best.

" I now come to M. Barrère's second point, that concerning a special representative of the League of Nations at Constantinople. I was very much surprised at the objections raised by the Turkish delegation on this point. Let me tell them that this is not in any sense a question of principle, but of expediency and convenience. The Greek delegation were quite prepared to accept such a representative of the League of Nations at Athens. The League of Nations has an office in London and also, I believe, in Paris. If the League asked to send a representative to London, I should never dream of objecting, and I am sure M. Poincaré would say the same in Paris. It would not occur to us that this was a blow at our independence. I feel pretty sure that later on, when peace is concluded and Turkey is a member of the League of Nations, she will find it a great convenience to have a representative of the League of Nations in her capital. I therefore think that the objection now made by the Turks will not be maintained in practice.

" I now come to the two questions which have been mentioned in every speech this afternoon and on which agreement has not yet been reached.

" The first was that of exemption from military service. I do not desire to repeat what I have already said on previous occasions, nor to point out to what extent compulsory military service has been used as an instrument of oppression or extortion upon religious minorities in Turkey. But the question is one which excites grave and legitimate interest in all quarters. The Allies originally proposed complete exemption of the minorities from military service on payment of a tax. When the Turkish delegation objected to this, the proposal of the Allies was watered down to the point of suggesting that there should merely be a discussion in consultation with the League of Nations as regards the possibility of exempting these persons from military service in future. Nevertheless, great as this concession was, the Turkish delegation refused on the ground that this was a purely internal concern of Turkey and that they could not make any distinction between Moslems and non-Moslems in this respect. I learnt of this refusal with some surprise, for my attention had been called to a law passed by the Grand National Assembly of Turkey in February of last year. This law was, it is true, an exceptional measure and for a limited period, but it laid down that non-Moslems who desired exemption might be so exempted upon payment of a tax varying from £T. 1,000 to £T. 300, according to the financial capacity of the applicant. This tax seemed to me very heavy and oppressive; but I am only concerned now with the principle enshrined in that law, which is just what the Allies are contending for here. It means that the Grand National Assembly recognise that non-Moslems cannot usefully be incorporated in the Turkish army in time of war, and that it is better to take their service in some other form which will bring in substantial revenue to the State. I do not know whether Ismet Pasha will have anything to say on this subject, but I do wish to call his attention to the discrepancy between what has happened at Angora and his attitude here.

" The second question is that of the amnesty. M. Montagna said that the object of the sub-commission was to make that amnesty as large as possible and that it had accordingly pressed for the inclusion of all inhabitants of Turkey and Greece without distinction. The Turkish delegation, on the other hand, accepted the principle and desirability of an amnesty, but insisted on limiting it to non-Moslems. I put this question to them: Is that really a wise proceeding on their part? What does it mean? It suggests to the world that the Turkish Government looks forward to executing reprisals on its subjects, who may have rendered some service to the Allies during the war. This means that some of these communities who have fled from Turkey will either be afraid to return, or else will live and work in Turkey with the menace of possible reprisals hanging over their heads. Take the case of the Circassians who were spread about in Northern Anatolia from Brusa to the west. In the course of the war they were in close contact with the Allied Powers owing to the position in which they were placed. These people are now scattered abroad outside Turkey in every direction. But they form a very useful and important element of the population, and surely it would be to the interest of the Turks themselves to get them back under such conditions that they will be able to live and work without a perpetual grievance.

" Some observations have been made this afternoon as regards the draft declaration concerning the amnesty. M. Venizelos suggested an addition, and expressed some disappointment at the fact that, while the Turks agreed to it, the Allies did not. On the other hand, M. Montagna has told us that this proposal was carefully considered in the sub-commission, which felt obliged to decide against it. In these circumstances it is very difficult for the commission to cast aside the advice of the sub-commission.

" Another point was raised by Ismet Pasha in connection with prisoners of war, concerning which he wanted a paragraph inserted. I understood M. Montagna to say that this matter is already being examined by the Allied military experts, and that it may be possible, if the experts so advise, to introduce something in that sense.

" I am also told that in the draft concerning the amnesty objection has been raised to article 2, and I understand that M. Bompard will in all probability have something to say about this on behalf of the French Government after I have spoken.

" But I note one other observation of even greater importance. Ismet Pasha said that on these two questions of military service and the amnesty he hoped we might arrive at a result. I am not quite sure whether he meant that if the Allies would withdraw their objections as regards military service the Turkish delegation were prepared to accept an amnesty in the manner proposed, possibly with certain small exceptions. I do not press for a reply at this moment if it is inconvenient for Ismet Pasha to give it, but I feel sure he will let us know the views of the Turkish delegation later.

" There is only one other feature in the report of the sub-commission to which I must refer. That is the point to which M. Barrère has alluded, a point to which immense importance is attached in the outside world, namely, the position of the isolated communities to whom reference has been made. The inviting Powers decided after full consideration that they could not refuse to hear the representatives of the Armenians, the Assyro-Chaldeans and the Bulgarians who were in Lausanne. No other course was open to them: the delegations were here, they had been waiting for weeks, they included important persons, and they had a genuine case to present to the world. I very much regret that the Turkish delegation declined to assist in the particular meetings at which they were heard. I believe it is a sound rule, if anyone has a grievance, to let him come and explain it to you. I also greatly regret that an incident occurred on one occasion at which one of the Turkish delegation thought it desirable to retire from the meeting on the ground that this question was being raised from a political point of view. I trust the Turkish delegation will believe me when I say, and I am sure all my colleagues will agree, that there is no political object at all. As M. Barrère has just said, the object is purely humanitarian.

" First, as regards the Armenians, I need only say a few words, as the question has been argued with great ability by M. Montagna in his statement. He showed that the suggestion of a national home implied no intention to attack the sovereignty of Turkey, to create an *imperium in imperio*, or a State within a State, or to set up an autonomous regime.

" I am somewhat surprised at the Turkish objections to our proposals, for it was the Turks themselves who recently proposed, in connection with the Ægean Islands, the setting up of a special autonomous régime which did not infringe the sovereignty

of Turkey. But M. Montagna did not even go so far as that; he only proposed that either in the south, near the Syrian border, as suggested by Sir Horace Rumbold, or somewhere else, a place should be set apart, under Turkish rule and with a Turkish Governor-General, where the Armenians could congregate for the purpose of maintaining their race, language and culture. The Turkish delegation refused the proposal even in this innocent form, and Ismet Pasha apparently repeated that refusal just now. I hope the Turkish delegation will not be too precise and definite upon this point. Later on, when peace is concluded and Turkey, having become a member of the League of Nations, is making arrangements for the disposition of the populations in her territory, I believe she will find it in her own interest to make some arrangement of this sort which will serve as an encouragement to the Armenians.

"The second community whose case was heard was the Assyro-Chaldeans—a small people, but in respect of race, history, religion and sufferings one which excites greater interest in the world than any other community of the same size. These people are scattered in every direction; they were driven out by the war from their habitations in Turkey and Persia. A certain number of them are now more or less under British protection on the borders of Irak. Our regard for them is not purely platonic, for 4,000,000*l.* have been spent on their relief since the armistice. At present numbers of these people are either in Turkish territory or want to go back to the place in Turkish territory near Julamerk where they originally were. We will certainly do our best for those who are within the confines of British influence, and as regards those who are already in Turkey, or propose to go back there, I hope that the Turkish Government will give full guarantees for their language, schools, customs and religion.

"The third group who were heard by the inviting Powers were the Bulgarian refugees from Thrace. I do not quite understand the Turkish objection to the return of these people. The Greek delegation were willing to admit those who were in Western Thrace before the Balkan wars, but the Turkish delegation refused them altogether. And not merely did these people live for years in Eastern Thrace, but they were the allies of Turkey during the war.

"I think that these are the only observations with which I desire to trouble the commission. I hope that the few points which remain may still be the subject of amicable settlement, and that the Turkish delegation will pay me the compliment of examining some of the larger considerations which I have ventured to put before them."

M. BOMPARD wished to make some remarks on paragraph 2 of the Allied draft respecting the amnesty. That paragraph extended the amnesty to Moslems in the various possessions, colonies or protectorates of France, Great Britain and Italy. The French Government was obliged to make reservations on this point. French public law did not permit of a distinction being drawn between French citizens on account of their belief or religion. It was therefore impossible to admit that military persons in the service of France should not be made to pay the penalty for offences which they had committed by passing over to the enemy, and in certain cases by bearing arms against France, for the mere reason that they were Moslems, while French military persons who were not Moslems did not have the benefit of any amnesty in similar cases. The French Government wished, however, to exercise the utmost clemency towards the prisoners in question, and M. Bompard was authorised to state on behalf of his Government that the case of each individual prisoner would be examined separately with a view to ascertaining whether some measure of pardon was possible. He hoped that this statement would satisfy all the delegations.

LORD CURZON observed that the case of the British Empire in this matter was not precisely identical with that of France. The British delegation were content with paragraph 2 as it stood; but if M. Bompard desired on behalf of the French delegation that it should be withdrawn, Lord Curzon had no objection; and he associated himself with M. Bompard's concluding remarks

M BOMPARD thought it would suffice if the words "de la France" were eliminated from paragraph 2.

ISMET PASHA said that out of deference for Lord Curzon he was willing to reply at once to certain remarks of the delegates who had spoken before him.

"The Allies represented the limited interpretation put upon the term "minorities" as a great concession to the Turkish delegation. The latter did not regard matters in this light. There were no Moslem minorities in Turkey, for no distinction was made either in theory or in practice between the various elements of the Moslem

population. Lord Curzon had expressed the hope that these Moslem elements would be able to live on perfectly good terms with the Turkish population. Ismet Pasha was firmly convinced that future events would fully justify that expectation.

As regards the non-Moslem minorities, Turkey had agreed to grant them rights based on the provisions of the treaties concluded by certain European States. If exceptional measures were advocated the labours of the conference would lose all their practical and equitable character. When Turkey had brought about the complete restoration of peace, the world would recognise what good grounds there were for the remarks made by the Turkish delegation in this connection. As regards the proposal of the Allied Powers to have a representative of the League of Nations sent to Turkey, Ismet Pasha could not see any utility in it.

Turning to the question of military service, Ismet Pasha said that all the arguments in support of the Turkish case had been laid before the sub-commission. It was quite true that the Christian subjects of the Ottoman Empire used to enjoy exemption from military service in return for the payment of a special tax. But since about fifteen years ago compulsory service had been extended without distinction to all citizens, no section of whom could be allowed to evade their most essential duties towards the commonwealth in a constitutional country. Thus during the Balkan war, and later on during the great war, Ottoman nationals had been called to the colours without any religious distinction. Facilities for exemption from military service by means of payment had been granted to non-Moslems during the recent war with Greece. This was due to very special circumstances of an essentially provisional nature. When the Greek army invaded Asia Minor, a great part of the Ottoman Greeks were situated within the zones of military operations; these Greeks, who had previously been free to live at Smyrna and in the districts subsequently occupied by the enemy, gradually came to form the major part of the effectives of the invading army. This situation, as was only natural, had radically modified the bonds of union with their country. Ismet Pasha assured the commission that the Turkish Government had always been inspired with the sincerest desire for pacification, that it had sought by all possible means to prevent dissensions between the various elements of the people, and had established concord and affection among them. The first essential condition for achieving this was that all sons of the same nation, without distinction as regards race or religion, should enjoy equal rights and be subject to the same obligations. The Government of the Grand Assembly had seen fit, under the circumstances just mentioned by him, to exonerate non-Moslems from military service for a limited period; but this measure, which circumstances had rendered necessary, could not be used as an argument in regard to the future, any more than the relations existing between countries in war time could be used as the basis on which to settle the relations governing the re-establishment of peace. The Government of the Grand Assembly attached the greatest importance to the unity and indivisibility of Turkey, and it considered that all rights, duties, advantages and obligations ought to be shared by all Turkish citizens alike.

As regards the amnesty, Ismet Pasha wished to explain why he declined to let it be applied to Moslems. The Allies claimed that they were imposing this amnesty for the purpose of effecting a general calming down of passions among the people of one and the same country. The Turkish delegation could not admit that the Allies, in so doing, should contemplate encouraging treason and betrayal of country in future. They were just as anxious as the Allies to adopt pacificatory measures with a view to relieving the sufferings caused by the war, but they intended to maintain such exceptions as they saw fit in view of the danger which Ismet Pasha had just indicated.

In the matter of national homes, Ismet Pasha said there was no need for him to add anything to his previous statements. He was convinced that the measures which had been advocated for the purpose of guaranteeing the rights of non-Moslem minorities would so completely efface all trace of the wounds and sorrows left by the war, that no obstacle would remain in the way of bringing about perfect understanding between all Turkish citizens, who by co-operating in all good faith for the welfare of the country would render the future recurrence of such questions impossible.

As regards the Bulgarian emigrants, Ismet Pasha said that at the time of the Balkan upheaval in 1912 a certain number of Bulgarians dwelt in Eastern Thrace. After that war Turkey concluded a treaty with Bulgaria providing for the exchange of these populations. The provisions of that treaty, which was made with the free consent of both parties, had been carried out in mutual agreement by the Governments concerned. At the time of the great war no Bulgarians remained in that

region. Ismet Pasha could not, therefore, refrain from surprise when he saw that the Allied delegates were seeking to reopen a question which, as he had just explained, had been definitely settled ten years previously. Acceptance of the Allies' demand would amount to authorising a fresh immigration and creating new difficulties That was what the Turkish delegation opposed.

In conclusion, Ismet Pasha expressed the hope that the two outstanding questions—amnesty and military service—might be settled in a satisfactory manner and in the interest of genuine peace.

LORD CURZON thought it would be desirable to ask the sub-commission to hold another meeting as soon as possible, in order to discuss the points remaining over from the present debate, namely, amnesty and military service

This was agreed to.

(*The commission rose at* 6·20 P.M.)

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ANNEX (A).

Rapport adressé à Lord Curzon, Président de la première Commission, par M. Montagna, Président de la Sous-Commission des Minorités.

M. le Président, *Lausanne, le 7 janvier* 1923.

LA sous-commission, instituée par la première Commission pour examiner la question de la protection des minorités, après de longues et laborieuses discussions, a pu arriver à un accord sur plusieurs des points qui lui ont été soumis, mais elle a été forcée d'interrompre ses travaux à cause de certaines divergences qui se sont manifestées sur quelques points, de sorte qu'il nous a été impossible de soumettre à la première Commission, comme nous l'aurions souhaité, et comme nous l'avions cru à un certain moment, un rapport constatant une complète identité de vues sur toutes les matières que nous avons discutées et qui faisaient partie du programme tracé au commencement de nos négociations.

J'ai l'honneur de signaler ci-après, séparément, à votre Excellence les points où un accord a pu se former et ceux qui restent encore à résoudre, tant en ce qui concerne les clauses relatives à la protection des minorités (Annexe 1) que la déclaration relative à l'amnistie (Annexe 2).

(A.)—*Questions résolues.*

La première question fondamentale, qui s'est posée devant la sous-commission, a été d'établir à quelle catégorie de personnes devraient s'appliquer les clauses que nous aurions stipulées pour la protection des minorités.

Bien qu'un accord sur cette question n'ait pu se faire dans la sous-commission qu'après la discussion de la plupart des clauses concernant la protection des minorités, je crois devoir commencer par faire mention de la solution qui a été donnée à cette question, car, en réalité, elle constitue le point fondamental de notre travail.

Après une longue discussion sur l'application des clauses relatives à la protection des minorités à toutes les minorités de nationalité, de race, de langue et de religion, habitant en Turquie, y compris les minorités musulmanes, la sous-commission a estimé qu'elle pouvait restreindre l'application de ces clauses aux minorités non musulmanes, en considération du fait que, par un article de portée générale (voir article 2 du projet annexé), la Turquie s'engageait à accorder à tous ses habitants pleine et entière protection de leur vie et de leur liberté sans distinction de naissance, de nationalité, de langue, de race ou de religion, et que, par ce même article, la Turquie garantissait à tous ses habitants le droit au libre exercice de toute foi, religion ou croyance. La Turquie ayant manifesté une sincère et ferme volonté de s'engager dans une voie de modernité et de progrès, et puisqu'il est juste d'avoir pleine confiance dans ses intentions, il a semblé à la sous-commission qu'on ne pouvait pas insister pour demander d'étendre la protection aux minorités musulmanes, qui trouveront dans la nouvelle organisation de l'Etat turc les garanties nécessaires pour la sécurité de leur existence et de leur travail.

Dans les articles acceptés par la délégation turque et qui sont annexés au présent rapport, la commission pourra constater que, sur les bases des traités concernant les minorités que les Alliés ont conclus avec d'autres Etats européens, la délégation turque a accepté de garantir aux minorités non musulmanes la jouissance des mêmes droits civils et politiques qu'aux musulmans, l'égalité devant la loi de tous les habitants de la

Turquie sans distinction de religion, le libre usage, pour tous les ressortissants du pays, des langues dont ils voudront se servir dans leurs relations privées ou de commerce, ainsi qu'en matière de religion, de presse et dans leurs réunions publiques. Les ressortissants turcs de langue autre que le turc jouiront aussi de facilités appropriées pour l'usage oral de leur langue devant les tribunaux. En ce qui concerne les institutions charitables, religieuses ou sociales, les écoles et autres établissements d'enseignement et d'éducation, les minorités non-musulmanes auront les mêmes droits que tous les autres ressortissants turcs, mais des facilités appropriées leur seront données en matière d'enseignement public dans les villes et districts où les autorités non musulmanes résident en proportions considérables.

Les questions relatives au règlement du statut familial et personnel des minorités non musulmanes ont donné lieu à des débats très approfondis, à l'effet de trouver un terrain d'entente sur les garanties qu'il fallait stipuler pour que la situation de ces minorités en Turquie, tout en les maintenant sur un pied d'égalité avec les autres sujets turcs, ne devînt pas incompatible avec le maintien des traditions et des coutumes d'après lesquelles elles devront pouvoir continuer à se régler.

Dans l'impossibilité de prolonger les débats d'une nature essentiellement juridique pour établir la portée des différentes coutumes existant parmi les minorités non musulmanes en Turquie, relativement au statut personnel et familial, ce qui aurait eu pour conséquence d'élargir à l'excès le cadre des travaux de la sous-commission, nous avons estimé pouvoir nous mettre d'accord sur la disposition que vous trouverez à l'article 6 du projet annexé. Cette disposition a été adoptée en considération des raisons ci-dessus exposées et du fait que le Gouvernement turc a accepté d'élaborer lui-même de nouvelles dispositions permettant de régler cette matière selon les usages des minorités non musulmanes.

La sous-commission a donc proposé que ces dispositions fussent élaborées par des commissions spéciales, composées de représentants du Gouvernement turc et de représentants de chacune des minorités intéressées, et que, en cas de divergence, un surarbitre fût nommé d'un commun accord entre le Gouvernement turc et le Conseil de la Société des Nations. De cette façon, nous estimons que toute garantie sera trouvée pour l'élaboration des dispositions qui intéressent à un si haut degré les minorités non musulmanes et que le Gouvernement turc pourra y collaborer en sauvegardant pleinement ses droits souverains.

La délégation turque a accepté enfin que toutes les stipulations relatives à la protection des minorités fussent placées sous la garantie de la Société des Nations et que tout différend sur ces matières fût considéré comme ayant un caractère international et déféré à la Cour permanente de Justice internationale.

Nous aurions désiré que, pour avoir une garantie plus complète de l'application des mesures relatives aux minorités, la Turquie acceptât qu'un représentant spécial de la Société des Nations pût résider à Constantinople et accomplir cette mission. Mais, bien que la délégation hellénique se fût montrée disposée à accepter pour son compte la nomination d'un autre représentant de la Société des Nations avec une mission analogue à celle qui aurait été établie pour la Turquie, la délégation turque n'a pas cru pouvoir accepter cette disposition.

La sous-commission a estimé ne pas pouvoir insister sur ce point, surtout en considération du fait que, la Société des Nations étant garante des dispositions relatives aux minorités, et la Turquie ayant manifesté son intention de faire partie elle-même de la Société après la conclusion de la paix, ce fait peut par lui-même nous donner l'assurance que rien ne sera entrepris, de la part du Gouvernement turc, qui puisse constituer une infraction aux obligations qu'il prendra vis-à-vis des minorités.

(B).—*Questions non résolues.*

Malgré tous les efforts employés par les différentes délégations afin de persuader la délégation turque de trouver un terrain d'accord complet sur toutes les questions, il ne nous a pas été possible, à notre grand regret, de nous entendre d'une façon complète sur la question du service militaire et sur celle de l'amnistie.

Quant à la première, pour aller au devant du désir de la délégation turque de ne pas insérer dans les clauses relatives aux minorités aucune disposition qui puisse, même de très loin, paraître léser les droits de souveraineté de la Turquie et l'égalité de tous ses citoyens devant la loi, nous avions renoncé à exiger la stipulation immédiate d'un traitement spécial pour les minorités, c'est-à-dire l'exemption du service militaire moyennant le payement d'une taxe. Nous nous étions bornés à proposer à la délégation turque d'accepter d'examiner cette question d'accord avec le Conseil de la

Société des Nations, car, ainsi, la Turquie aurait pu se persuader plus facilement que notre demande n'avait aucun but politique et qu'elle s'inspirait seulement des conditions spéciales résultant de la situation des minorités en Turquie. Mais la délégation turque n'a pas cru pouvoir donner une réponse satisfaisante à ce sujet et elle s'est limitée à demander le retrait pur et simple de toute proposition des Alliés concernant l'exemption du service militaire en faveur des minorités. Il est cependant à noter ici que la délégation turque a formellement déclaré que, si la Turquie exemptait les musulmans—ou partie ou totalement cet avantage serait accordé aux mêmes conditions à tous ses ressortissants non musulmans.

Quant à l'amnistie, la sous-commission a été d'avis qu'il était équitable de satisfaire le désir de la délégation turque de ne pas régler cette question dans des clauses formant partie du traité, mais plutôt par une déclaration commune de toutes les Puissances intéressées, déclaration qui serait annexée au futur Traité de Paix, dont elle ferait partie intégrante. Cette manière de procéder serait en réalité plus conforme au caractère de souveraineté que comporte toute concession d'amnistie.

Cependant, tout en étant d'accord sur la forme à donner à cette déclaration, des points importants restent encore en litige. Se basant sur un principe hautement moral et en vue d'assurer une vraie et complète pacification des régions où les malheurs de la guerre ont sévi pendant de si longues années et où les passions politiques ont laissé dans la conscience des individus des traces qui peuvent être effacées seulement par une large et prévoyante clémence, les délégations alliées avaient proposé que l'amnistie fût étendue à tous les habitants de la Turquie et de la Grèce sans aucune distinction. Mais la délégation turque a insisté et continue à insister pour une limitation de l'amnistie aux habitants non musulmans de la Turquie, voulant réserver au Gouvernement turc le droit de maintenir et de prononcer toutes peines édictées par les lois contre les habitants musulmans de la Turquie qui se sont rendus coupables de faits punissables pendant la guerre.

D'autre part, la délégation hellénique s'est réservé de demander à la commission présidée par votre Excellence que les habitants musulmans de la Turquie et les habitants non musulmans de la Grèce fussent exclus du bénéfice de l'amnistie pour les faits relatifs à leur conduite militaire. Mes collègues et moi, nous avons protesté contre cette demande, que nous croyons contraire à ces principes généraux de pacification, fondés sur la nécessité d'apaiser les passions politiques, dont nous n'avons pas cessé de demander l'adoption.

La délégation turque s'est refusée, d'autre part, à comprendre dans la déclaration d'amnistie les crimes et délits de droit commun ayant trait aux événements politiques et militaires.

La question de l'amnistie aux prisonniers de guerre forme encore l'objet d'études de la part des experts militaires alliés, car elle est en relation avec la question plus générale de l'échange des prisonniers de guerre.

La délégation française a formulé des réserves sur la possibilité d'accepter une amnistie pour les habitants musulmans des territoires, y compris les colonies, protectorats ou possessions de la France, condamnés en raison d'une assistance militaire ou politique qu'ils auraient prêtée à la Turquie dans les territoires où se sont déroulées des opérations militaires entre la Turquie et les Alliés.

La délégation turque n'a d'ailleurs pas accepté cette disposition et elle a insisté à réclamer de la part des Puissances alliées une amnistie générale pour tous leurs sujets musulmans.

Tels sont les points de divergence qui subsistent encore dans la question de l'amnistie. Mais un accord a pu être heureusement atteint sur la question si importante de l'œuvre accomplie, sous les auspices des Alliés, pour rétablir les familles dispersées en raison de la guerre. La délégation turque a accepté de reconnaître cette œuvre, en soumettant, toutefois, les réclamations éventuelles contre les décisions qui ont été prises à une commission spéciale composée d'un délégué du Croissant Rouge et d'un délégué de la Croix-Rouge.

Je suis persuadé que, en se plaçant sur un terrain de concessions mutuelles, nous aurions peut-être pu éliminer encore quelques-unes des difficultés qui s'opposaient à l'établissement d'un accord complet sur toutes les questions qui nous avaient été soumises. Mes collègues alliés, que je tiens à remercier d'une façon toute spéciale pour la précieuse collaboration qu'ils m'ont donnée, auraient contribué certainement, comme ils l'avaient fait pour la solution des autres questions difficiles que nous avons réglées, à surmonter quelques-uns des obstacles qui se sont présentés.

Les délégués à la Sous-Commission des Minorités, bien que la délégation turque se fût refusée à assister à cette audition, n'ont pas cru pouvoir se refuser à recevoir les représentants de certains groupes ethniques et à entendre leurs demandes

Nous avons reçu d'abord les représentants des Arméniens, ensuite ceux des Assyro-Chaldéens, la délégation bulgare, et, finalement, les représentants du Comité des Émigrés des deux Thraces. A la dernière séance de la sous-commission, j'ai estimé de mon devoir de porter à la connaissance de la délégation turque les questions dont ces représentants nous avaient saisis. J'avais d'ailleurs nettement indiqué à cette délégation, au commencement de nos travaux, en lui présentant la liste des différentes questions ayant trait à la protection des minorités (liste qui a servi de base à nos travaux), que notre tâche ne pouvait pas être considérée comme accomplie par l'accord sur ces points, mais que d'autres questions importantes nous restaient à traiter. Avec l'appui efficace de mes collègues, j'ai ainsi attiré la plus sérieuse attention de la délégation turque sur le fait que l'opinion de tous les pays attend de la Conférence de Lausanne une solution propre à assurer d'une façon définitive l'existence pacifique des populations arméniennes en Turquie. J'ai indiqué que cette solution pouvait se trouver dans un accord avec le Gouvernement turc, qui devrait permettre aux Arméniens (aussi bien à ceux qui se trouvent encore en Turquie qu'à ceux qui sont en ce moment dispersés à l'étranger) de se concentrer et de se réunir dans une localité du territoire turc que le Gouvernement turc aurait pu choisir lui-même, d'accord avec la Société des Nations. J'ai expliqué que cette solution, loin de porter atteinte à la souveraineté turque et aux plus délicates susceptibilités du Gouvernement turc, aurait pu satisfaire l'opinion publique mondiale et lui démontrer la véritable intention de la Turquie d'entrer dans la voie du progrès et de la modernisation. Elle aurait, d'autre part, présenté l'avantage de résoudre une fois pour toutes les vieilles questions de race et de religion, qui, jusqu'ici, ont causé tant de malheurs et qui ont été une des raisons de l'affaiblissement de la Puissance ottomane. J'ai ajouté que les Alliés avaient demandé pour d'autres minorités à des États qui n'avaient pas été leurs ennemis, mais leurs Alliés pendant la guerre, d'accepter des dispositions beaucoup plus graves et plus restrictives des pouvoirs de l'administration publique, comme, par exemple, les mesures qui ont été stipulées avec l'État tchécoslovaque en faveur des Ruthènes. J'ai proposé que les dispositions à établir pour l'administration du foyer arménien fussent étudiées dans leurs grandes lignes dans notre sous-commission, sauf à être réglées dans les détails par le Gouvernement turc lui-même, d'accord avec la Société des Nations, après avoir choisi l'emplacement du foyer.

J'ai proposé aussi d'étudier, dans un esprit analogue, des dispositions ayant pour but de permettre aux Assyro-Chaldéens de se réunir dans un point déterminé du territoire turc et d'y conserver, sous l'autorité de la Turquie, leurs coutumes et leurs traditions. J'ai finalement adressé un appel pressant, aussi bien à la délégation hellénique qu'à la délégation turque, pour que leurs Gouvernements respectifs nous donnent une assurance formelle destinée à tranquilliser définitivement les populations bulgares de la Thrace occidentale et de la Thrace orientale, en vue de leur permettre de retourner dans leurs foyers, qu'elles ont quitté par suite des guerres. J'ai proposé que le retour de ces populations soit organisé d'accord avec la Société des Nations ou avec les associations internationales humanitaires que la Turquie et la Grèce voudront choisir, pour les aider dans cette œuvre, qui doit représenter un élément nécessaire de la pacification générale.

La délégation hellénique a déclaré qu'aucune entrave ne serait apportée par son Gouvernement au retour en Thrace occidentale des populations bulgares qui y étaient établies avant les guerres balkaniques, mais que le Gouvernement grec n'avait pas l'intention de permettre le retour des éléments bulgares qui avaient immigrés en Thrace occidentale pendant la période où cette région s'est trouvée sous la domination bulgare, car il considérait cette immigration comme ayant eu lieu pour des fins politiques.

La délégation turque a opposé, cependant, d'une façon absolue et nette, une fin de non-recevoir à toutes les questions qui lui ont été posées, aussi bien au sujet des Arméniens qu'à celui des Assyro-Chaldéens et des populations bulgares.

Dans ces conditions, il ne nous restait qu'à remettre cette matière tout entière à la première Commission, que votre Excellence préside, dans l'espoir que dans son sein l'on pourrait trouver un terrain d'entente pour la détermination des principes sur lesquels l'accord pourra se faire concernant les questions à résoudre.

Ainsi que j'ai eu l'honneur de le dire plus haut, notre sous-commission est parvenue à régler d'une manière satisfaisante presque entièrement les questions relatives à la protection des minorités en Turquie. Ceci donne lieu à espérer qu'il ne sera pas difficile de compléter l'œuvre que tous nous avons poursuivie avec un esprit de conciliation, animés du vif et sincère désir de faire un pas nouveau vers cette paix qui, ici, domine toutes nos pensées.

Veuillez, &c.

MONTAGNA.

Annexe 1.

Projet de Clauses relatives à la Protection des Minorités.

ARTICLE 1er.

La Turquie s'engage à ce que les stipulations contenues dans les articles de la présente section soient reconnues comme lois fondamentales, à ce qu'aucune loi, aucun règlement, ni aucune action officielle ne soit en contradiction ou en opposition avec ces stipulations et à ce qu'aucune loi, aucun règlement ni aucune action officielle ne prévalent contre elle.

ARTICLE 2.

Le Gouvernement turc s'engage à accorder à tous les habitants de la Turquie pleine et entière protection de leur vie et de leur liberté, sans distinction de naissance, de nationalité, de langue, de race ou de religion.

Tous les habitants de la Turquie auront droit au libre exercice, tant public que privé, de toute foi, religion ou croyance dont la pratique ne sera pas incompatible avec l'ordre public et les bonnes mœurs.

Les minorités non musulmanes jouiront pleinement de la liberté de circulation et d'émigration sous réserve des mesures s'appliquant, sur la totalité ou sur une partie du territoire, à tous les ressortissants turcs et qui seraient prises par le Gouvernement turc pour la défense nationale ou pour le maintien de l'ordre public.

ARTICLE 3.

Les ressortissants turcs appartenant aux minorités non musulmanes jouiront des mêmes droits civils et politiques que les musulmans.

Tous les habitants de la Turquie, sans distinction de religion, seront égaux devant la loi.

La différence de religion, de croyance ou de confession ne devra nuire à aucun ressortissant turc en ce qui concerne la jouissance des droits civiles et politiques, notamment pour l'admission aux emplois publics, fonctions et honneurs ou l'exercice de différentes professions ou industries.

Il ne sera édicté aucune restriction contre le libre usage pour tout ressortissant turc d'une langue quelconque, soit dans les relations privées ou de commerce, soit en matière de religion, de presse ou de publications de toute nature, soit dans les réunions publiques.

Nonobstant l'existence de la langue officielle, des facilités appropriées seront données aux ressortissants turcs de langue autre que le turc pour l'usage oral devant les tribunaux.

ARTICLE 4.

Les ressortissants turcs appartenant à des minorités non musulmanes jouiront du même traitement et des mêmes garanties en droit et en fait que les autres ressortissants turcs. Ils auront notamment un droit égal à créer, diriger et contrôler à leurs frais toutes institutions charitables, religieuses ou sociales, toutes écoles et autres établissements d'enseignement et d'éducation, avec le droit d'y faire librement usage de leur propre langue et d'y exercer librement leur religion.

ARTICLE 5.

En matière d'enseignement public, le Gouvernement turc accordera dans les villes ou districts où réside une proportion considérable de ressortissants non musulmans, des facilités appropriées pour assurer que dans les écoles primaires l'instruction soit donnée dans leur propre langue aux enfants de ces ressortissants turcs. Cette stipulation n'empêchera pas le Gouvernement turc de rendre obligatoire l'enseignement de la langue turque dans lesdites écoles.

Dans les villes ou districts où il existe une proportion considérable de ressortissants turcs appartenant à des minorités non musulmanes, ces minorités se verront assurer une part équitable dans le bénéfice et l'affectation des sommes qui pourraient être attribuées sur les fonds publics par le budget de l'État, les budgets municipaux ou autres, dans un but d'éducation, de religion ou de bienfaisance.

Les fonds en question seront versés aux représentants qualifiés des établissements et institutions intéressés.

ARTICLE 6.

Le Gouvernement turc agrée de prendre à l'égard des minorités non musulmanes, en ce qui constitue leur statut familial ou personnel, toutes dispositions permettant de régler ces questions selon les usages de ces minorités.

Ces dispositions seront élaborées par des commissions spéciales composées en nombre égal de représentants du Gouvernement turc et de représentants de chacune des minorités intéressées. En cas de divergence, le Gouvernement turc et le Conseil de la Société des Nations nommeront, d'un commun accord, un surarbitre choisi parmi les juristes européens.

Le Gouvernement turc s'engage à accorder toute protection aux églises, synagogues, cimetières et autres établissements religieux des minorités précitées. Toutes facilités et autorisations seront données aux fondations pieuses et aux établissements religieux et charitables des mêmes minorités actuellement existants en Turquie, et le Gouvernement turc ne refusera, pour la création de nouveaux établissements religieux et charitables, aucune des facilités nécessaires qui sont garanties aux autres établissements privés de cette nature.

ARTICLE 7.

Les ressortissants turcs appartenant aux minorités non musulmanes ne seront pas astreints à accomplir un acte quelconque constituant une violation de leur foi ou de leurs pratiques religieuses, ni frappés d'aucune incapacité s'ils refusent de comparaître devant les tribunaux ou d'accomplir quelque acte légal le jour de leur repos hebdomadaire.

Toutefois, cette disposition ne dispensera pas ces ressortissants turcs des obligations imposées à tous autres ressortissants turcs en vue du maintien de l'ordre public.

ARTICLE 8.

La Turquie est prête à examiner, avec le Conseil de la Société des Nations, la possibilité de permettre aux ressortissants turcs non musulmans la possibilité d'être exemptés du service militaire moyennant le payement d'une taxe. Cette taxe d'exonération devra être modérée et sera la même pour les musulmans comme pour les non musulmans, au cas où la Turquie accordera la même exemption à tous ses ressortissants.

Rejeté par la délégation turque.

ARTICLE 9.*

La Turquie agrée que, dans la mesure où les stipulations des articles précédents de la présente section affectent les ressortissants musulmans de la Turquie, ces stipulations constituent des obligations d'intérêt international et soient placées sous la garantie de la Société des Nations. Elles ne pourront être modifiées sans l'assentiment de la majorité du Conseil de la Société des Nations. L'Empire britannique, la France, l'Italie et le Japon, par les présentes, s'engagent à ne pas refuser leur assentiment à toute modification desdits articles qui serait consentie en due forme par la majorité du Conseil de la Société des Nations.

La Turquie agrée que tout membre du Conseil de la Société des Nations aura le droit de signaler à l'attention du conseil toute infraction ou danger d'infraction à l'une quelconque de ces obligations, et que le conseil pourra procéder de telle façon et donner telles instructions qui paraîtront appropriées et efficaces dans la circonstance.

La Turquie agrée, en outre, qu'en cas de divergence d'opinions sur des questions de droit ou de fait concernant ces articles, entre le Gouvernement turc et l'une quelconque des autres Puissances signataires ou toute autre Puissance, membre du Conseil de la Société des Nations, cette divergence sera considérée comme un différend ayant un caractère international, selon les termes de l'article 14 du Pacte de la Société des Nations. Le Gouvernement turc agrée que tout différend de ce genre sera, si l'autre partie le demande, déféré à la Cour permanente de Justice internationale. La décision de la Cour permanente sera sans appel et aura la même force et valeur qu'une décision rendue en vertu de l'article 13 du Pacte.

ARTICLE 10.

Les droits reconnus par les stipulations de la présente section aux minorités non musulmanes de la Turquie sont également reconnus par la Grèce à la minorité musulmane vivant sur tout son territoire.

Annexe 2.

Projet de Déclaration relative à l'Amnistie.

Projet présenté par les Délégations alliées

1. Aucun des habitants de la Turquie et réciproquement aucun des habitants de la Grèce ne devra être inquiété ou molesté en Turquie et réciproquement en Grèce, sous aucun prétexte, en raison de sa conduite militaire et politique ou en raison d'une assistance quelconque qu'il aurait donnée à une Puissance étrangère signataire du présent traité ou à ses ressortissants entre le 1er août 1914 et le 20 novembre 1922.

2. Aucun des habitants musulmans des territoires y compris les colonies, protectorats ou possessions de la France, de la Grande-Bretagne et de l'Italie ne devra être également inquiété ou molesté dans les territoires précités en raison d'une assistance militaire ou politique qu'il aurait prêtée à la Turquie dans les régions où se sont déroulées les opérations militaires entre la Turquie et les Alliés.

3. Aucun des habitants des territoires détachés de la Turquie en vertu du présent traité ne devra être également inquiété ou molesté, soit en raison de son attitude politique contraire à la Turquie ou favorable à elle pendant la période du 1er août 1914 au 20 novembre 1922, soit en raison du reglement de sa nationalité en vertu du présent traité.

4. Amnistie pleine et entière sera respectivement accordée par le Gouvernement turc et par le Gouvernement grec pour tous crimes et délits commis durant la même période ayant trait aux événements politiques survenus pendant cette période.

5. Toutes condamnations prononcées de ces chefs seront annulées et toutes poursuites en cours seront arrêtées.

Projet présenté par les Délégation turque.

1. Aucun des habitants non musulmans de la Turquie et réciproquement aucun des habitants musulmans de la Grèce, ainsi que des territoires y compris les colonies, protectorats ou possessions des États alliés, ne devront être inquiétés ou molestés en Turquie et réciproquement en Grèce ou dans les territoires précités sous aucun prétexte en raison de leur conduite militaire ou politique, ou en raison d'une assistance quelconque qu'ils auraient donnée à l'autre partie ou à ses ressortissants entre le 1er août 1914 et le 20 novembre 1922. Toute condamnation prononcée de ce chef sera annulée et toute poursuite en cours sera arrêtée.

2. Aucun des habitants des territoires détachés de la Turquie en vertu du présent traité, ne devra également être inquiété ou molesté en raison ne son attitude politique ou militaire, soit contraire à la Turquie, soit favorable à elle.

3. Les prisonniers de guerre et civils seront réciproquement amnistiés pour tous leurs actes punissables, soit par les législations pénales, soit par les règlements disciplinaires.

La délégation hellénique s'est réservée de demander à la Commission des Questions territoriales et militaires que les habitants musulmans de la Turquie et les habitants non musulmans de la Grèce soient exclus du bénéfice de l'amnistie prévue par le paragraphe 1 pour des faits relatifs à leur "conduite militaire."

Accepté

6. Le Gouvernement turc, partageant le souci de pacification générale dont sont animées toutes les Puissances, déclare son intention de ne pas contester les opérations effectuées par les commissions constituées sous les auspices des Alliés pendant la période comprise entre le 20 octobre 1918 et le 20 novembre 1922, dans le but de rétablir les familles dispersées en raison de la guerre et de replacer les ayants droit légitimes en possession de leurs biens.

Toutefois, cette intention n'exclut pas la possibilité de toute revision des opérations susvisées en cas de recours des intéressés. Les réclamations relatives aux personnes et aux biens seront examinées par une commission composée d'un délégué du Croissant-Rouge et d'un délégué de la Croix-Rouge. En cas de divergence, ces derniers choisiront un surarbitre; s'ils ne peuvent pas s'entendre sur ce choix, le surarbitre sera désigné par le président de la Cour permanente internationale de Justice de La Haye.

E 836/1/44] No. 95.

Dr. Flieder to the Marquess Curzon of Kedleston.—(Communicated by British Delegation, Lausanne (No. 61); Received in Foreign Office, January 22.)

Légation de la Tchécoslovaquie, Berne, le 15 janvier 1923.

M. le Président,

JE me permets de remettre, ci-joint, à votre Excellence la copie de la lettre que j'ai adressée à M. le secrétaire général de la Conférence de Lausanne, au nom de mon Gouvernement.

Cette lettre contient l'exposé des raisons pour lesquelles la Tchécoslovaquie se trouve intéressée à certaines des clauses que comprendra le traité devant être conclu à Lausanne, et je vous serais donc infiniment obligé de bien vouloir lui accorder votre haut appui auprès de la conférence.

Avec tous mes remerciements anticipés, je vous prie d'agréer, &c.

Le Ministre de Tchécoslovaquie en Suisse,
ROBERT FLIEDER.

Enclosure in No. 95.

Dr. Flieder to the Secretary-General of the Peace Conference at Lausanne.

Berne, le 13 janvier 1923.

M. le Secrétaire général,

PAR sa lettre du 29 novembre 1922, le Ministre des Affaires étrangères de la République tchécoslovaque, M. le Dr. Eduard Benes, a demandé que la faculté soit donnée au délégué tchécoslovaque d'être entendu en ce qui concerne des questions touchant les intérêts de la République tchécoslovaque, si de telles questions venaient à être discutées à la Conférence de la Paix à Lausanne.

La présidence de la conférence n'a pas, jusqu'à maintenant, jugé nécessaire d'admettre le délégué tchécoslovaque pour lui donner la possibilité d'expliquer les intérêts de la République tchécoslovaque devant la conférence; c'est pourquoi, en qualité de délégué tchécoslovaque, désigné comme tel par mon Ministre des Affaires étrangères pour le cas ci-dessus cité, j'ai recours à votre obligeance en vous présentant par écrit le point de vue et les désirs de la Tchécoslovaquie concernant le traité de paix qui doit resulter des négociations actuelles de Lausanne, en vous priant de bien vouloir en faire la communication à la présidence de la conférence.

La Tchécoslovaquie est au nombre des États qui participèrent aux négociations de Paris dont le résultat fut le Traité de Sèvres et elle fut donc appelée à signer ce traité. Ceci parce que les Alliés considéraient la République tchécoslovaque comme un État en guerre avec la Turquie.

Le traité susmentionné devait régler, par ses clauses générales, les relations économiques entre notre pays (comme une des Puissances alliées) et la Turquie, ainsi que le sort de nos ressortissants sur le territoire turc.

Il suffit, tout d'abord, de mentionner l'article 261, qui rétablit le régime des Capitulations pour tous les Alliés, donc pour la République tchécoslovaque, et les autres articles réglant les questions susmentionnées (IXe Partie du traité).

Je me permets de faire remarquer que c'étaient spécialement nos ressortissants, sous l'ancien régime citoyens de la Monarchie austro-hongroise, qui profitaient alors des avantages du régime des Capitulations; d'autre part, que la plus grande partie de l'industrie de l'ancienne monarchie est sur le territoire de la République tchécoslovaque et que cette industrie tenait, avant la guerre, la deuxième place dans les importations en Turquie. C'est pourquoi nous sommes sérieusement intéressés dans cette question.

Le Traité de Sèvres n'est jamais entré en vigueur et aux négociations qui doivent créer une nouvelle base pour les relations entre les Alliés et la Turquie, nous ne prenons pas part. Nous courons maintenant le danger d'être obligés de négocier séparément avec les Turcs pour nos relations économiques mutuelles. Nous espérons que les Puissances invitantes, qui nous ont comptés au nombre des belligérants contre la Turquie et ont bien voulu nous faire participer aux avantages du Traité de Sèvres, auxquels nous n'avons jamais renoncé, ni fait quoi que ce soit pour qu'ils nous soient ôtés, admettront qu'il est nécessaire que nous obtenions les mêmes avantages et les mêmes droits qui seront accordés aux États faisant partie de la Conférence de Lausanne, par le traité qu'elles doivent y conclure.

Ce que nous demandons est un régime égal à celui dont jouiront les États participant à cette conférence :

1. Dans la participation aux avantages des Capitulations, respectivement dans la forme des Capitulations qui sera convenue par la conférence ;
2. Dans le traitement des ressortissants tchécoslovaques et ceux des États représentés, en ce qui concerne l'exploitation de toutes les entreprises économiques, acquisition de concessions, transactions commerciales en général, &c. ;
3. Dans la participation aux faveurs douanières, si la Turquie les accordait aux États représentés.

En vous remerciant à l'avance de votre aimable entremise, je saisis, &c.

DR. R. FLIEDER,
Ministre de Tchécoslovaquie en Suisse.

[E 841/1/44] No. 96.

Danish, Spanish and Dutch Delegates to the Marquess Curzon of Kedleston.—(*Communicated by British Delegation (No. 66); Received in Foreign Office, January 22.*)

Lausanne, le 18 janvier 1923.

MM. les Présidents,

NOUS avons l'honneur de faire savoir à vos Excellences que nous apprécierons beaucoup de pouvoir adhérer, au nom de nos Gouvernements, au traité qui sera conclu entre les Puissances alliées et la Turquie, pour autant que ce qui regarde les dispositions ayant trait au futur régime des étrangers alliés en Turquie.

Ayant été à même, par l'obligeant intermédiaire des Gouvernements de vos Excellences, de suivre certains travaux de la conférence se rapportant au susdit régime, nous croyons devoir nous adresser également dans cette affaire à vos Excellences en leur qualité de représentants des trois Puissances invitantes.

Nous attacherions un haut prix à être informés si les Gouvernements des trois Puissances invitantes, ainsi que les Gouvernements alliés parties à la conférence, sont favorables à insérer dans le futur traité une clause relative à notre adhésion.

En même temps, nous serions particulièrement reconnaissants à vos Excellences de bien vouloir saisir également la délégation turque de la même proposition, pourvu que vos Excellences n'y voient pas d'inconvénient.

En remerciant vos Excellences de la suite qu'elles voudront bien donner à la présente lettre, nous nous permettons d'ajouter que nous serions très heureux si une réponse pourrait y être donnée dans un délai rapproché.

Veuillez agréer, &c.
D'OLDENBURG.
F. DE REYNOSO.
VAN PANHUYS.

No. 97.

Mr. Henderson to Mr. Lindsay.—(*Received January 22.*)

(No. 33.)
(Telegraphic.) *Constantinople, January 21, 1923.*

MY telegram No. 25.

Reouf Bey has addressed identic communication to the three High Commissioners on the subject of Greek concentrations on Maritza, and protesting against what he describes as overt Greek preparations against Turkish territory and continual sniping across the river, as result of which two Turkish gendarmes have been wounded. Communication states that new situation has been created which had not been foreseen at Mudania, and enquires whether, in the circumstances, cessation of hostilities stipulated in article 1 of convention can still be regarded as in force.

Reouf argues that limitation of Turkish gendarmerie to 8,000 in Thrace could only be regarded as sufficient guarantee if Allies, in accordance with article 3 of convention, effectually occupied western bank of Maritza, thereby preventing all contact between Greeks and Turks. This not having been arranged, Reouf asks for adoption of suitable measures for protection of Turkish territory as well as Moslem population of Western Thrace from aggression.

After stating that Government of Grand National Assembly is convinced that aggressive threats of Greeks will be disapproved of by the Allies, Reouf Bey requests categorical statement from the High Commissioners to the effect that Greeks will observe conditions of Mudania Convention, and that article 3 thereof will be applied. Communication concludes with observation that, in contrary event, Turkish Government will be obliged to consider that Mudania Convention, which was signed by Allied Powers, is not being actually observed.

There is no doubt in my mind that Reouf contemplates, as suitable measures against Greeks' aggression, demand that Greek forces should be withdrawn to a distance from the western bank of river. This is also, as will be seen from my telegram No. 25, solution my French colleague recommends. I shall discuss this [? frankly] with him and Italian High Commissioner to-morrow, but, in view of threat in last sentence, shall agree to no action beyond reference to Governments for identic instructions as to our reply, especially as it is probable that similar protest has been addressed to Allied delegates at Lausanne by Ismet Pasha. Franco-Greek relations in Thrace are very strained, and French Government is likely to favour General Pellé's proposals. There is, however, no obligation to interpret article 3 in the way that Turks indicate, though wording is loose enough to afford them some justification for their contention.

(Sent to Lord Curzon, No. 42: repeated to Athens, No. 9.)

No. 98.

Mr. Henderson to Mr. Lindsay.—(*Received January 22.*)

(No. 34.)
(Telegraphic.) D. *Constantinople, January 22, 1923.*

QUESTION has arisen of disposal of funds seized at Constantinople in 1919 from Deutsche Bank, Deutsche Orient Bank and Wiener Bank-Verein and deposited in Imperial Ottoman Bank. Allied High Commissioners have decided to submit this question by telegraph to their respective Governments with following observations :—

Sequestered funds are of two kinds.

1. 1,778,500 silver 2-mark pieces seized in coffers of Deutsche Bank, though not figuring in its accounts which were sent from Germany to be converted into medjidies but not handed over to Turkish mint. They constitute undoubtedly an asset to German Government. It seems that decision to be taken with regard to these funds should be identical with that which will be taken regarding £T. 140,000 paper, deposited in the Imperial Ottoman Bank (see my despatch No. 1162).

Meanwhile, it seems indispensable to put these funds out of reach of any requisition by Turkish Government. Simplest course would be to place them on a warship and deposit them in a safe place, such as Toulon branch of the Banque de France.

2. Imperial Ottoman Bank has also received on deposit various sums in gold seized in Deutsche Bank, Deutsche Orient Bank and Wiener Bank-Verein by inter-Allied enemy bank control under instructions from Allied Governments. They amount to about 590,000 gold francs. These sums being private property of banks, and not property of German State, High Commissioners can only ask their Governments for instructions as to their final disposal.

(Sent to Lord Curzon, No. 43.)

No. 99.

The Marquess Curzon of Kedleston to Mr. Lindsay.—(*Received January 23.*)

(No. 221.) [By Bag.]
(Telegraphic.) *Lausanne, January 21, 1923.*

WHEN M. Barrère, excusing himself from seeing Sir Eyre Crowe to-day, asked me to see M. Bompard this evening, to report results of latter's journey to Paris, I scented at once that he had brought back instructions on issues far wider than those of finance, and I foresaw a complete French climb-down. My worst expectations were more than realised. Producing a paper on which were written some twenty-four headings, M. Bompard explained that on each of these points, upon which the

Allies at Lausanne, after two months of concession, have felt obliged at length to stand firm, M. Poincaré was prepared for unconditional surrender. They included, *inter alia*, the abandonment of the Maritza frontier, the admission of a Turkish army to Gallipoli, the omission from treaty of limitation of Turkish army in Thrace, though this had been the proposal of Marshal Foch; the concession of every financial point hitherto insisted upon, including surrender of the 5 millions and of the value of the two Turkish warships; practical abandonment of provisions for future judicial régime, in place of Capitulations, concession of Turkish demands for reparations, and agreement not to present treaty to Turks in plenary session of conference, for fear of its rejection, but to hand it to them in some humbler and more surreptitious fashion. In fact, if M. Poincaré's advice be followed, we might as well not have been here at all, or at least we might at once tear up our treaty and offer to sign the counter-treaty, which it is understood that the Turks have prepared. Finally, M. Poincaré revived his proposal to send General Pellé to Angora to consume a few more weeks in the persuasion of despair, and to oil the wheels of final and complete surrender.

Rumbold, Crowe and I listened to this exposition with as much composure as we could command, and I indicated to M. Bompard quite clearly that the British delegation would find the utmost difficulty in accepting any of these eleventh-hour proposals, which were not merely destructive of most of our work, but were inconsistent with M. Poincaré's personal assurances to me at Paris that his representatives at Lausanne had full powers, and that no reference to Paris or overruling by the French Government, as at Genoa, would be permitted. M. Bompard replied that what he had submitted were suggestions rather than orders, and he felt, I think, some shame at the task entrusted to him, the more so as some of the concessions now proposed were points which he had all along vigorously contested here, and with which he did not pretend to agree. When I remarked that this seemed to me to be the direct repercussion of the Rhur he did not pretend to deny it. On the contrary, he said frankly that as the treaty which we were about to propose was one which the Turks could not and would not sign, we must submit another, at whatever cost, which they could. M. Poincaré was in terror lest, if there is a breakdown here, the Greeks, of whose military preparations both the French and the Turks entertain the liveliest apprehensions, would advance into Thrace; and no price was, in his opinion, too great to avoid such a catastrophe.

This sudden, though not unexpected, change of attitude on the part of the French will greatly complicate the difficulties of my task. For not merely does it reopen the whole field of debate at the last moment, but I entertain no doubt that by to-morrow the Turks will be in possession of all M. Poincaré's proposals, which the Italians will probably not resist, and that I shall be represented as the solitary opponent to a reasonable settlement.

Cabinet will recognise that the new French plan rests upon the conception, which is no doubt true, that a treaty is necessary, at whatever cost, to the French. Our plan has proceeded upon the rival assumption, in which the French here have hitherto concurred, that peace is necessary to the Turks, and that, while proceeding to the extreme limit of concession, a point must ultimately be reached at which we should show that Europe is not altogether vanquished, and that we cannot weakly abandon the whole of our interests in the future.

I fancy that America and all the other Powers represented here will rally to this view; and that the policy of abject surrender, when it is made known, will excite little sympathy and no small contempt.

But the hopes which were rising in my breast, and which I have confessed in recent telegrams, have been rudely dashed by this culminating effort at desertion, for which our experiences at Chanak and Ismid had in part prepared me, but which could hardly have been launched at a moment more dangerous or inopportune.

No. 100.

The Marquess Curzon of Kedleston to Mr. Lindsay.—(Received January 22.)

(No. 222.)
(Telegraphic.) *Lausanne, January 22, 1923.*

CABINET will scarcely be surprised to hear that M. Barrère, finding situation, which I have described in recent telegrams, notably my telegram No. 221 sent by bag yesterday, too much for him, and seeking an excuse in what he terms a nervous

breakdown, has obtained permission from his Government to retire from conference for ten to fifteen days, and leaves to-morrow for Rome. We shall, of course, not see him again. Whether this is tantamount to voluntary resignation on his part because of a situation which he can no longer control, or whether President of the Council thinks he can find a more supple instrument in M. Bompard, I cannot say. I incline to former hypothesis. Bompard, who has little authority here, is to replace M. Barrère as chief French plenipotentiary. Sir E. Crowe has informed M. Barrère's private secretary, who came with the news, that this will make no difference in our attitude, that I propose to proceed with remaining business of conference without modification, and that it is impossible at the last moment to open up an entirely new field of discussion.

It is deplorable that reactions of French internal politics should thus be allowed to imperil our work here, and that timidity of President of the Council, coupled with inadequacy of his lieutenants, should have brought us to this *impasse*. But I do not mean to be dismayed, and will recover as many brands as it is possible to pick out from the burning.

Since the above was written, Bompard and Garroni have both been here, and I am now faced with anticipated [? Allied] surrender. Garroni wants a discussion amongst ourselves of full text of treaty already prepared by our joint experts in order to offer opportunity for further concessions.

Bompard, acting upon direct instructions from President of the Council, wants to cut treaty into three slices and serve up each separately with a savoury garnish to Turks in separate sessions of three commissions with view of allowing them to masticate each in turn. I need hardly point out that these tactics involve both a recommencement of entire conference and a further postponement of the end, if, indeed, they ever contemplate an end at all. I shall resist these manœuvres at each stage, but can quite conceive that I shall have to fix a definite date for departure of British delegation. It is, in my view, intolerable that head of one of three Allied Governments should be permitted thus to upset our agreed procedure at the last moment.

[E 903/6/44] No. 101.

Mr. Bentinck to the Marquess Curzon of Kedleston.—(Received January 23).

(No. 18.)
My Lord, *Athens, January 11, 1923.*

IN my telegram No. 762 of the 28th December, I had the honour to report that with the departure of General Pangalos for Thrace, the possibility of some *coup* in the nature of an attempt on Constantinople should not be lost sight of. The present régime are not firm in the saddle, and would naturally feel the need of doing something to consolidate their position. As reported in my telegram No. 7 of the 4th instant, the warning which I was instructed by your Lordship's telegram No. 3 of the 1st instant to convey to the Greek Government on behalf of His Majesty's Government that a renewal of hostilities by Greece would be universally condemned in Great Britain, was at once delivered to the Director-General at the Ministry of Foreign Affairs, and repeated to him two days later when he called upon me to assure me, in reply, on behalf of the Greek Government, that Greece had no aggressive designs and had absolutely no intention of acting alone. He explained that in view of the critical situation, all necessary military precautions had been taken by the army at the front. On my drawing attention to the danger of isolated action, M. Lagoudakis assured me that the present régime had no intention of repeating the mistakes of their predecessors in that respect. I referred to the semi-official statement in the press, mentioned in my telegram No. 1 of the 1st instant, which bore out what M. Lagoudakis had told me, and if complete faith may be placed in assurances, those which he gave me may be considered as satisfactory. The warning which I had conveyed to the Greek Government was subsequently repeated by my French and Italian colleagues, and they received assurances similar to those which had been given to me.

2. On the evening of the 9th instant the French Minister asked to see me urgently and told my Italian colleague and me that the news which he had received from Constantinople was disquieting. The Greeks appeared to be preparing to cross the Maritza and were constructing bridges by means of boats which they were placing at Bosnakeni, just to the south of Adrianople. He feared that General Pangalos

might be about to make some *coup*, and he asked if we should be prepared to support him in renewing our warnings to the Greek Government. This we agreed to do. According to the French Minister's information, the force which the Allies had on the Maritza was very small, consisting of two or three battalions only, a squadron of cavalry, and one company of Italian troops. Obviously they could not prevent the Greeks crossing if they decided to do so.

3. The next day I telephoned to the private secretary of the Minister for Foreign Affairs to tell him that I had a communication to make, and after he had seen the Director-General he came round to see me. I told him that the French Minister had received disquieting news from Constantinople, and was about to see the Minister for Foreign Affairs to convey to him a further warning, and I desired to associate myself with the *démarche* which my French colleague was about to make. I said I felt it my duty to repeat the warning which I had been instructed by your Lordship to give a few days previously. Apart from the bad impression which a renewal of hostilities by Greece would create abroad, it seemed to me that it would be absolute folly for Greece to act alone. On his referring to the discipline and strength of the new army, I mentioned the extraordinary optimism exhibited by M. Gounaris in London in March 1921, which resulted in the sudden attack by Greece on the Turks at Eski-Shehr (whilst the conference was still sitting) with disastrous consequences. I also referred to the rejection by Greece of the offers of mediation made by the Powers in the summer of the same year, and to the further misfortunes which had followed, though the Greeks had then felt absolutely confident of success. I had, I said, received M. Lagoudakis's assurances a few days previously and I could not believe that the Government would act in defiance of our warnings, but there was always the danger of the army at the front acting on its own. The private secretary said he would repeat my warnings to the Minister and that he was sure General Pangalos had the army well in hand. I told him that there was always a tendency in this country to attach some *arrière-pensée* to what one said, and to think that one meant something different. I instanced the revelations of M. Chroussachis in the "Morning Post" of the 8th December, where it is shown that on two occasions M. Gounaris refused your Lordship's offers of mediation, imagining thereby that he was acting in accordance with the wishes of Mr. Lloyd George. M. Almanakos (the private secretary) admitted that the tendency to which I had referred did certainly exist in Greece, and I said they must believe that when we said a thing we meant it.

4. My Italian colleague conveyed his warning in the course of yesterday in much the same manner as I had done, whilst the French Minister was able to see the Minister for Foreign Affairs himself. The latter explained that as the Greeks had information that the Turks had mined the bridges across the Maritza, they were preparing boats with which to be able to cross in the event of the renewal of hostilities. This was a natural military precaution. He showed the French Minister a telegram which he had received from General Pangalos regarding a conversation with a British colonel at Kuleli Bourgas, from which General Pangalos had gathered that the conference at Lausanne was likely to break up. The general had consequently presumed that war, in which England would be involved, would immediately follow, and he asked leave of his Government to begin hostilities immediately on news of the break up of the conference. This the Government had refused. M. Alexandris, however, repeated to M. de Marcilly what he himself and Colonel Plastiras had said to him on the 1st January, viz., that if the Powers would only allow the Greeks to advance they would be in Constantinople within six days. The Government, and most people I meet, declare emphatically that the discipline of the army at the front is good, and M. Alexandris said to M. de Marcilly that, as the Turks had only 20,000 men in Thrace and the British 30,000 at Gallipoli, the task before the Greeks would not be a difficult one. He finally told the French Minister that, although the Government had no present intention of advancing alone, the situation created by the Turks might be such as to compel them to commence hostilities immediately. In that case, before the order was given, he would inform the French Minister.

5. The above will show that the situation is not without danger. As I said to M. Almanakos, the Greeks are always extraordinarily optimistic. They appear to think now, as they did in the summer, that they are in a position to take Constantinople—the dream of all Hellenism—wipe out the stain of their recent defeat, and once more become the Greater Greece, to obtain which both King Constantine and M. Veniselos have striven in their different ways.

6. In the summer of 1921 the Allies warned the Greeks, then flushed with the victories at Afium Karahissar, Kutahia and Eski-Shehr, that they would not be allowed to go to Constantinople. They heeded our warning and turned off towards Angora and at the Sangaria they met their fate. They then placed themselves in the hands of the Allies, trusting to us to bring about peace for them. During almost a year nothing was accomplished. They then threatened Constantinople from Thrace. Solemn warnings were again given. The Greeks gave ear to these and promised us not to advance without our consent. They told us, however, that they could not hold out in Asia Minor that a march on Constantinople was the only way to end the war. The collapse then followed with all its appalling consequences. Thinking to please the Allies, and specially the French, they then turned out their King, the idol of the people. His successor was not recognised by the Powers, who continued to withhold from the Greeks the support which they considered that they had a right to expect. The revolution then decided that they must at all costs win the friendship of France, for, as had often been said, England's friendship consisted only in fine words. They proceeded therefore to execute their ex-Commander-in-chief and five ex-Ministers on the ground *inter alia* of their having been hostile to the Allies when they had shown themselves notoriously friendly to England, but not to France. In so doing they had slapped England and Italy in the face, and people one might have thought to be sensible men, were not ashamed to say that all this was done on account of criticism by certain sections of the foreign press. The result has been that they have lost the friendship of their only friend, without having apparently gained anything of material importance from France. At a recent dinner offered by the unredeemed Greeks to an American Red Cross representative, Colonel Plastiras made a speech in which he said: "We express a bitter complaint to those Powers who, in the hour of grave danger, abandoned Greece, helpless and defenceless in her great struggle." "Greece has," he said, "been the rampart against barbarism as she is to-day against Bolshevism, which threatens to destroy Europe." The Greek army which had fought heroically was, he thought, worthy of better treatment and should not have been abandoned.

7. The Greeks now see that England and France at Lausanne are for peace at any price, and in spite of great provocation will not be drawn into a war with Turkey if it is possible to avoid it. Many Greeks begin to think that the only way to get something is to follow the example of Kemal and defy the Powers. From all this it is obvious that warnings from the Allies, and particularly from His Majesty's Government, cannot carry the same weight as they carried last July and August.

8. On the other hand, the country is flooded with refugees; there is shortage of bread meat, milk and eggs, &c.; three meatless days and two fishless days are prescribed each week; the cost of living is ever increasing; the finances of the country are going from bad to worse; a large section of the people are dissatisfied with the present régime and all are threatened with epidemics and with all kinds of diseases, and even with the addition of hundreds of thousands to their refugee population as soon as the British leave Constantinople. They are liable to argue that conditions are about as bad as they can be, and that an attack on the Turks, whom they could take by surprise now before they could become strong, even if unsuccessful, could hardly make conditions much worse and might improve them considerably. The semi-official "Eleftheron Vima" writes:—

> "The Powers are only agreeing on the text of a treaty, but not on the means of enforcing it. We thus run the danger of finding ourselves in the same state of suspense which has had such tragic results for us. No Greek desires war; but it is the duty of the Government to declare to the Powers that a decision to postpone the solution of the Eastern problem to the Greek Calends would be unjust and unfavourable, and Greece cannot continue a struggle of exhaustion, and in order to conform to the recommendations of the Powers, wait, sword in hand, whilst the Turks have time to prepare militarily and intrigue diplomatically and to apply to the Greeks remaining in Turkey their methods of barbarism. Such a state of suspense, prolonged indefinitely, would certainly result in the complete and inevitable ruin of Hellenism."

I am forwarding a copy of this despatch to Lausanne.

I have, &c.

C. H. BENTINCK.

[E 891/21/44] No. 102.

Mr. Henderson to the Marquess Curzon of Kedleston.—(Received January 23.)

(No. 31.)
My Lord, *Constantinople, January 15, 1923.*

THE situation in Constantinople has been considerably easier since the middle of December. At the beginning of that month the official intimation conveyed to foreign companies here that they must immediately conform to the Angora Foreign Company Law induced one to believe that a series of measures contrary to capitulatory privileges and in anticipation of the decisions of the Lausanne Conference were about to be imposed in Constantinople regardless of Allied opposition.

2. I am inclined to attribute the renunciation by the Turks of their original intentions in this respect to the joint protests addressed to Angora by the delegates of the inviting Powers at Lausanne against the premature application of that law and against the excessive zeal being displayed here by Refet Pasha. It is certain, at any rate, that the improvement in the situation here coincided with the appointment of Dr. Adnan Bey to succeed Refet Pasha as representative of the Grand National Assembly in this city. The official announcement in the press to the effect that a delay of three months, dating from the 18th December, was granted in respect of the registration of foreign companies in Constantinople was published shortly after Adnan Bey's arrival here, and since then no organised attempt has been made to interfere with the capitulatory privileges of foreigners in other respects.

3. The personality of Adnan Bey is, in fact, very different to that of Refet Pasha. Though more educated than Refet, the former's intelligence is far less acute. Moreover, he is an invalid, and appears to shrink from decided action and from the assumption of serious responsibility. Refet Pasha was deterred by the fear neither of the one nor of the other. Refet Pasha's activities were displayed principally in action, whereas Adnan Bey's activities have hitherto been chiefly confined to verbal and written communications. I have received a large number of these since the arrival of Adnan Bey in Constantinople. Many of them, it is true, make requests for the modification of the Allied régime as set up under the armistice, such as in respect of pilotage, the assessment by the Turkish Customs of postal parcels arriving at the foreign post offices, restrictions on foreign warships in Turkish ports, the reversion of the Eastern Telegraph Company to its pre-war procedure, &c. These requests have all been ignored or refused, and Adnan Bey has hitherto shown no inclination to insist upon them.

4. Generally speaking, after the initial friction, which was probably inevitable, the dual administration of Constantinople would appear to have been accepted here as a normal situation.

I have, &c.
NEVILE HENDERSON,
Acting High Commissioner.

[E 892/892/44] No. 103.

Mr. Henderson to the Marquess Curzon of Kedleston.—(Received January 23.)

(No. 33.)
My Lord, *Constantinople, January 16, 1923.*

I HAVE the honour to report that an Armeno-Turkish Committee was recently formed here under the honorary presidency of M. B. Kerestedjian, an official of the Imperial Ottoman Bank. It held its first meeting on the 14th instant, among those present being S. Kazazian, vicar of the Armenian Patriarchate; Ismail Mushtak Bey, ex-First Secretary of the Senate; Madjid Bey, representing Dr. Adnan Bey; Zia Bey, Prefect of the City; Essad Bey, Acting Director-General of Police; Mgr. M. Naroyan; Mgr. Arsharouni, a former Armenian Patriarch; and a number of merchants and press representatives. M. Garabedian, M. Kerestedjian, Madjid Bey and the vicar of the Patriarchate made short speeches, in which they emphasised the necessity and importance of maintaining the friendly relations which had existed between Turks and Armenians for six centuries, and of forgetting unfortunate incidents which had occurred in the past.

2. I understand that the presidency of the committee was offered to M. Kerestedjian principally on account of his relations with Hamid Bey, the former agent of the Angora Government in Constantinople, and also an official of the Imperial Ottoman Bank. I am informed that M. Kerestedjian has in the past taken no interest in the affairs of the Armenian community, not even subscribing to its charities.

3. I understand that a movement is on foot to form a Græco-Turkish Committee of a similar character.

I have, &c.
NEVILE HENDERSON,
Acting High Commissioner.

[E 896/1/44] No. 104.

Mr. Henderson to the Marquess Curzon of Kedleston.—(Received January 23.)

(No. 38.)
My Lord, *Constantinople, January 16, 1923.*

IN view of the meeting which Adnan Bey is to have with Mustapha Kemal at Ismid to-day, I considered it desirable to speak to the former during his visit to me yesterday in the sense of the second paragraph of your Lordship's Lausanne telegram No. 69* of the 11th instant to me, with regard to Mosul.

2. I added that, in my opinion, it was impossible for your Lordship to recede from the standpoint which you had adopted on this question. Mosul was an integral part of Irak, the mandate for which had been entrusted to Great Britain by the League of Nations. Great Britain could not with honour either lay down the responsibilities which she had thus accepted, nor repudiate the treaty which she had concluded as a consequence thereof with the Emir Feisal. It was not a question either of oil or of commercial interest, and the attempts to place it on that basis only led to misconception and confusion. It was not even a matter for discussion between Great Britain and Turkey alone. The League of Nations and Irak itself were interested parties which would have to be consulted.

3. Adnan Bey stated that it would be unjust and contrary to the National Pact to exclude Mosul from Turkish sovereignty. While he admitted that the town itself was purely Arab, he contended that the surrounding country was entirely Turkish. Aleppo, he added somewhat significantly, was in this respect in a similar position to Mosul. I denied, so far as the Mosul vilayet was concerned, the justice of this contention. The large majority therein was not Turkish at all, and even the small minority of Turkomans could hardly be regarded as coming within the description of Ottoman Moslems referred to in the National Pact.

(Copy sent to Lausanne.)

I have, &c.
NEVILE HENDERSON,
Acting High Commissioner.

[E 920/1/44] No. 105.

Sir H. Dering to the Marquess Curzon of Kedleston.—(Received January 23.)

(No. 42.)
My Lord, *Bucharest, January 17, 1923.*

THE Roumanian Minister for Foreign Affairs, who returned last night from Rome, asked me to go and see him this afternoon. After saying that we should keep, as he wished, in close touch with one another these days, while the relations between Roumania and Hungary were liable to strain, although agreeing with my observation that the worst was now over, he mentioned that news of a further frontier incident had been received, which would, however, first need confirmation and further investigation. I have reported this elsewhere, as that is not to be the subject of this despatch.

M. Duca stated that he had wished to see me in order to say how much he appreciated the cordial manner in which your Lordship and the British delegation had

* Not repeated to Foreign Office.

received him in Lausanne, and to give me some account of his experiences there. This proved to be most interesting, but I need obviously not go into details beyond recording his impressions. He had gathered that since the settlement of the Straits question the Russian Soviet delegation exercised no further influence on the Turkish delegation. On the other hand, he believed that Ismet Pasha would have been ready by now to sign the treaty if it were not for the Turkish Deputies from Angora, but on the whole he thought that the Lausanne Conference would prove successful, even if only at the last minute, in accordance with approved Turkish methods.

He expressed much admiration for the manner in which your Lordship had conducted the affairs of the conference, and especially had handled the Turks with a combination of conciliation and firmness. When your Lordship had presented the Turkish delegation with an ultimatum insisting on a decision within a given time, M. Barrère had afterwards expressed to him the fear that this was a mistake, and that it would have been better to have been more conciliatory. After the British policy had proved successful and the Turks had given way at the very last moment, M. Barrère had confessed that he had been wrong in his judgment and had been frank in admiration of your Lordship's policy. M. Duca remarked to me that when a delegate like Lord Curzon had wide personal knowledge of the East, and therefore an extensive experience of Oriental mentality, it was clear that he must be the best judge of how to handle men like Ismet Pasha and his associates.

In short, he left no doubt in my mind as to the impression which his experiences at Lausanne have made on him. It is a case of England first and the rest nowhere. M. Duca contrasted with admiration the organisation of our delegation and that of, for instance, the French. He cited specially the admirable promptness with which Messrs. Nicolson, Leeper and Forbes Adam produced the apposite documents at the right moment for your Lordship's use while speaking, whereas the French secretarial department seemed in similar cases to be at sixes and sevens. It is extremely pleasant to me to record these appreciations by an intelligent foreign observer. It is quite evident that, if M. Duca's sentiments towards Great Britain were already friendly, as I believe they were, when he left for the conference, he has returned with them reinforced by his personal contact with my country's representatives at Lausanne.

The Minister for Foreign Affairs said that he had postponed his visit to England in accordance with your Lordship's advice, because the moment for meeting British statesmen would not have been suitable. He hoped, however, to go to London later in the year, in fact, had every intention of carrying out the plan. In the meantime he had been fortunate enough to meet the Prime Minister with Sir Eyre Crowe in Paris, which had given him pleasure.

I have, &c.
HERBERT G. DERING.

No. 106.

Mr. Bentinck to Mr. Lindsay.—(Received January 23.)

(No. 34.)
(Telegraphic.) D. *Athens, January 22, 1923.*

MY telegram No. 29.

French Minister told Italian Chargé d'Affaires and me to-day that our Governments were agreed to suggest both to Greeks and Turks desirability of both forces retiring from Maritza. I said that, in view of opinion expressed in my telegram, I must await your instructions. Italian Chargé d'Affaires had not understood that suggestion was to be made to Turks as well as to Greeks, and this latest fact somewhat alters the case. French Minister said that, although Turks had in Eastern Thrace more than the 8,000 gendarmerie stipulated at Mudania, their force there, without artillery, was not large enough to constitute any danger to Greeks.

Chief of General Staff, however, told military attaché to-day that Turkish force in Thrace amounted to 30,000 men, including gendarmerie, with some artillery. This did not constitute serious danger at present, but reinforcements were continually arriving via Midia, and force would soon be formidable.

(Repeated to Lord Curzon and Constantinople.)

No. 107.

The Marquess Curzon of Kedleston (No. 72) to Mr. Henderson.—(Repeated to Foreign Office; Received January 23.)

(No. 223.)
(Telegraphic.) D. *Lausanne, January 22, 1923.*

ATHENS telegram No. 29.

French Government propose joint Allied representations to Greek Government at Athens and to Ismet Pasha here requesting withdrawal of Greek and Turkish forces to a distance of 5 kilom. from Maritza on either side in order to avoid danger, alleged to be imminent, of serious collision.

According to reports received by French Government, General Harington not only acknowledges reality of this danger, but has himself submitted to his Allied colleagues draft note to be addressed by them jointly to Greek Commander-in-chief complaining of provocative proceedings of Greeks troops, and demanding their withdrawal from Maritza line.

Please ask General Harington immediately for full report of his view of the situation, and action which he is taking or proposing.

We have hitherto believed Turkish complaints of alleged Greek provocations to be greatly exaggerated, and were inclined to consider that, in view especially of undoubted infraction of Mudania Armistice by Turks by surreptitious introduction of large bodies of unauthorised troops into Eastern Thrace, it was not for us to make Greeks withdraw from Maritza line, seeing that even if similar demands were made to, and ostensibly agreed to, by Turks, Allies would probably not be in a position to ensure its observance.

In forwarding General Harington's report, please add any observations you may wish to offer on your part.

(Repeated to Athens, No. 23, and Paris, No. 19.)

No. 108.

Mr. Henderson (No. 45) to the Marquess Curzon of Kedleston.—(Repeated to Foreign Office; Received January 23.)

(No. 36.)
(Telegraphic.) *Constantinople, January 23, 1923.*

YOUR telegram No. 72.

General Harington will furnish full report, but in the meantime please see my telegram No. 29.

My own view is that no serious collision is in the least likely, and that [? at the] most [? with a view to] avoiding minor incidents both parties might be requested to withdraw from river bank. I do not anticipate that Turks will agree to do so, any more than I believe that measure, even if accepted by both, would either be particularly practical or capable of enforcement. On the other hand, Greek military preparations are general on a considerable scale, and refusal to join in French proposal, which is harmless, would be misinterpreted.

(Repeated to Athens, No. 10.)

No. 109.

The Marquess Curzon of Kedleston to Mr. Lindsay.—(Received January 25.)

(No. 224.) [By Bag.]
(Telegraphic.) *Lausanne, January 23, 1923.*

IN this morning's discussion I began by asking Ismet Pasha to state the Turkish claim to Mosul. In reply, he gave a rehash of the Turkish case, as stated in the memoranda which have already been circulated in print to the Cabinet, very often reading out entire passages. He did not employ a single new argument, but reiterated the old fallacies—ethnic, geographical, economic, strategic, &c.—and laid unexpected stress on the contention that we are not justified in holding

any part of a vilayet of which we were only in partial occupation at the exact hour when the Mudros armistice, which he has consistently decried and derided during our discussion here, was signed hundreds of miles away. In reply, I made the speech, which the papers will probably have reported, basing my case upon (*a*) the obligations of treaty or of honour into which we have entered; (*b*) the juridical position which we occupy in Irak; (*c*) the interests and views of the various racial or religious groups in the Mosul Vilayet. I also rebutted the armistice contention, which has no validity, and gave a brief *exposé* of the oil situation, which I declared to have no connection with the British case. I ended, as I had proposed, by saying that, inasmuch as the Turks and ourselves found it impossible to agree, His Majesty's Government were quite prepared to refer the determination of the disputed frontier between Turkey and Irak to the League of Nations and to abide by the result. Finally, I earnestly pressed the Turkish delegation to join in this invitation and to participate in the enquiry.

My proposal was strongly and loyally supported by M. Bompard and Marquis Garroni, and Ismet asked for an adjournment till 6 P.M. to prepare his reply.

When we resumed Ismet read out his response. After first answering some of the points in my speech of the morning, he then refused arbitration in any form, including, apparently, reference to the League of Nations, persisted in describing Mosul as part of the mother-soil of Turkey, and demanded a plebiscite of the inhabitants.

This demand enabled me to point out with exactitude how futile and dangerous an instrument a plebiscite must be in a country with a partially nomadic population, presenting no unity of descent or interest, largely illiterate, possessing strong racial or religious prejudices, and suddenly called upon to pronounce by their votes, not upon a single defined issue, but upon such a question as the tracing of a disputed frontier in areas inhabited by turbulent and hostile tribes.

I cited the examples of Teschen and Upper Silesia, and asked who were to vote, who was going to keep order while the voting was going on, and who was to enforce the result. I then asked Ismet to explain whether he had really declined the reference to the League of Nations, which I refused to believe; and proceeded to explain with minute precision how the enquiry would be held, how under articles 4, 5 and 17 of the covenant Turkey would be admitted not only to membership of the League, but to the council, how she would become a party to every discussion, every proposal, every decision, how unanimity was required for every such decision, and how, therefore, she would have a powerful voice in determining the character, personnel and objects of the enquiry. I pointed out what a deplorable impression would be produced upon world opinion if the Turks were to refuse the offer now made to them with the approval of all the Powers. But I ended by saying that if they declined to act I could not adopt a similarly negative attitude. I was here not to run the risk of war, but to make peace, and my Government could not refuse any precaution that might avoid a possible rupture of peace in the future, such as might result from military movements in the direction of Mosul and a conceivable collision in that quarter. The British Government would accordingly have no alternative but to address the League under article 11 of the covenant and to invite their intervention in the interests of peace. This appeal, which I am told made a great impression upon everyone but the Turks, was then cordially supported by M. Bompard, Marquis Garroni and Baron Hayashi, the first of whom especially entreated the Turks not to reject the advice of so old a friend of Turkey as himself, and thus to put themselves wrong with the world. I then offered to let Ismet defer his final reply till to-morrow morning. I might as well have appealed to the Sphinx of Egypt or apostrophised the mummy of Tutankhamen. Ismet, surrounded by an unusually large Prætorian guard of the Deputies from Angora, who evidently meant to tolerate no nonsense, merely replied that his arguments remained unanswered and unanswerable, that Mosul was a part of the motherland, that he had no doubt that I was about to give it up, and that reference to the League of Nations was out of the question.

I took notice of his reply, and announced my intention to make the reference to the League which I had foreshadowed.

The sitting then terminated.

No. 110.

The Marquess Curzon of Kedleston to Mr. Lindsay.—(Received January 23.)

(No. 225.)
(Telegraphic.) R. *Lausanne, January 23, 1923.*

EVERYTHING proceeded to-day in the exact order anticipated in my telegram No. 215. Inasmuch as great public interest was excited in Mosul question, papers to-morrow will probably report at length course of discussion, my various speeches, powerful support of Allies and reiterated, obstinate and all but incredible refusal of Turks to agree to arbitration of any sort or to reference in any manner to League of Nations. I will send fuller account by to-night's bag, and I shall now act in the sense of third paragraph of my telegram No 215.

I think Mosul difficulty has been so steered by proceedings to-day that public opinion will be unanimously on our side in dispute, and that Turks can hardly now contrive to make it sole or even main cause of rupture.

No. 111.

The Marquess Curzon of Kedleston to Mr. Henderson (Constantinople).

(No. 20.)
(Telegraphic.) R. *Foreign Office, January 23, 1923.*

YOUR telegram No. 25 of 18th January: Alleged breach of Mudania Convention.

Your reply approved.

[E 928/1/44] No. 112

Ismet Pasha to the Marquess Curzon of Kedleston.—(Communicated by British Delegation, Lausanne (No. 70); Received in Foreign Office, January 24.)

Lausanne, le 20 janvier 1923.

Dear Lord Curzon,

J'Ai eu l'honneur de recevoir la lettre du 19 courant que votre Excellence a bien voulu m'envoyer. Je m'associe volontiers à votre proposition relative à la mise en discussion au sein de la Commission territoriale de la question des frontières entre la Turquie et l'Irak.

Quant à la frontière turco-syrienne, je n'ai jusqu'à présent fait aucune demande au sujet de sa mise en discussion.

Dans la réunion projetée par votre Excellence, j'ai l'intention de faire part à la commission des raisons et des arguments sur lesquels se base la délégation turque pour demander Mossoul.

Ces raisons et ces arguments ont été exposés à votre Excellence par les notes que nous avons échangées et les conversations que nous avons eues.

Veuillez agreer, &c.

M. ISMET.

[E 927/1/44] No. 113.

Note verbale communicated to Russian Delegation.—(Received in Foreign Office, January 24.)

PAR sa note verbale du 13 janvier, la délégation russe a demandé aux présidents de la conférence de lui faire connaître à quelle date ils ont l'intention de convoquer une séance de la Commission des Détroits, afin de donner aux représentants de toutes les Puissances intéressées dans la question le moyen de faire connaître leur manière de voir.

Par leur note verbale du 10 janvier, les présidents de la conférence avaient eu l'honneur de rappeler à la délégation russe qu'ils n'ont jamais eu l'intention de la tenir à l'écart des négociations relatives au futur régime des Détroits; ils lui avaient en même temps fait savoir que les textes qui pourront être préparés lui seront communiqués

en temps utile. Afin de dissiper les incertitudes qui, d'après la note du 13 janvier, paraissent subsister dans son esprit, ils s'empressent de faire savoir à la délégation russe que le projet de convention sur les Détroits lui sera communiqué à une date très prochaine, et que, si la nécessité en apparaît, la première Commission pourra se réunir ensuite, après un délai convenable, pour discuter ce projet.

Par la présente note, les présidents pensent avoir donné satisfaction au désir exprimé par le président de la délégation russe dans sa lettre en date de ce jour.

Lausanne, le 20 janvier 1923.

E 930/1/44] No. 114.

Note by Sir H. Rumbold.—(Communicated by British Delegation, Lausanne (No. 72), Received in Foreign Office, January 24.)

Lord Curzon.

THE Swedish and Norwegian Ministers called yesterday to explain why they had not associated themselves with the *démarche* made on the 18th January by the Danish, Spanish and Netherlands Ministers in requesting the three presidents of the conference to arrange that the Danish, Spanish and Netherlands Governments should have an opportunity of adhering to the economic and capitulatory provisions of the future peace with Turkey.

The Norwegian Minister explained that Norwegian interests were already protected by a protocol of the 13th June, 1907, between Norway and Turkey, of which he handed me the text and which is contained in the attached document. He said that if he had associated himself with the *démarche* of his Danish, Spanish and Netherlands colleagues, his action might have weakened the force of the protocol.

The Swedish Minister said that he had derived the impression from the British experts that the Turks would not agree to the neutral States adhering to the above-mentioned provisions of the treaty. He therefore thought it useless to associate himself with his Danish, Spanish and Netherlands colleagues. He pointed out that if the Allied Governments succeeded in improving the Turkish judiciary and laws, this would benefit all foreigners alike.

The Norwegian Minister asked that the attached note might be treated as confidential, as he had not handed it to anybody except myself.

H. R.

January 20, 1923.

Aide-mémoire.

Le délégué de Norvège désire expliquer que pour le moment il n'a pas trouvé nécessaire de s'associer à la démarche, faite hier par les délégués de Danemark, d'Espagne et des Pays-Bas aux présidents des délégations alliées, parce que les intérêts norvégiens sont déjà protégés par le protocole du 13 juin 1907 entre la Norvège et la Turquie, de la teneur suivante:

Le Gouvernement royal de Norvège et le Gouvernement impérial ottoman, ayant résolu de conclurre un traité de commerce et une convention consulaire, sont convenus qu'en attendant la conclusion de ces actes, les consuls, les sujets et le commerce des deux Etats jouiront réciproquement du traitement de la nation la plus favorisée.

Légation de Norvège, Lausanne,
le 19 janvier 1923.

No. 115

Mr. Henderson (No. 47) to the Marquess Curzon of Kedleston.—(Repeated to Foreign Office. Received January 24.)

(No. 37.)
(Telegraphic.) R *Constantinople, January 24, 1923.*

MY telegram No. 25.

Reouf Bey has addressed note to High Commissioners protesting against removal by Allies of parts of machinery of Turkish motor boats and of arms from Matchka and Tashkishla depots.

Note describes machinery and arms as property of Turkish Government, and alleges that they have been sent to Dedeagatch for use of Greek forces.

As note is identic I shall ask my colleagues to join in reply, stating that certain material has effectively been removed on grounds of security for Allied forces here, but that whatever has been removed is, and will remain, in safe custody of Allies until settlement, after peace, as to its ultimate disposal, and repudiating indignantly allegation above mentioned.

In the meantime, as allegation is clearly directed against British, I am sending personal and unequivocal message to Adnan Bey.

No. 116.

The Marquess Curzon of Kedleston to Mr. Lindsay.—(Received January 24.)

(No. 229.) *Lausanne, January 24, 1923.*
(Telegraphic.)

IN pursuance of action taken by me at conference yesterday, I have consulted Sir E. Drummond to-day as to right method of bringing Mosul case under article 11 before Council of the League. We have agreed upon following procedure:—

I will write and despatch to-morrow an official letter to council stating in briefest terms ground of appeal of His Majesty's Government, and ask for case to be put on agenda for meeting next week. We should then ask Lord Balfour to make an explanation to council at its first meeting as to what passed here. I will send him full account of this to morrow night by Major Young, who will give him any further explanations and will return with him to Paris. No discussion need or will arise on Lord Balfour's statement at this stage and he will conclude by saying that, should matters develop in the near future in a serious manner either owing to a rupture here or to Turkish military movements against frontier of Irak His Majesty's Government will then feel it their duty to ask for a special meeting of the council in order to take requisite steps by inviting Turks to attend and state their case. Entire matter should not, therefore, occupy meeting of next week more than an hour. Please show this to Lord Balfour, and say how grateful I shall be if he will act on behalf of His Majesty's Government in the above sense.

Cabinet will appreciate necessity of taking immediate action, for which impending meeting of council at Paris affords an excellent reason. Otherwise Turks, who are already spreading rumour that my speech was a *brutum fulmen*, will be convinced that we mean to do nothing.

No. 117.

The Marquess Curzon of Kedleston to Mr. Lindsay.—(Received January 24.)

(No. 230.) *Lausanne, January 24, 1923.*
(Telegraphic.) R.

FOLLOWING for the King and Cabinet:

"Turkish representatives, in to-day's discussion regarding Allied war graves, adopted uncompromising attitude in regard to area at Ari Burun, which Graves Commission, at the request of Australian and New Zealand Government, had set apart for cemeteries of Anzac detachment. They insisted that this area should be strictly limited to actual ground occupied by graves already concentrated and identified.

"In regard to remaining cemeteries established in Gallipoli Peninsula, the Turks claim the right to examine sites and to recommend, if necessary, that land demarcated by Graves Commission should be restricted within limits strictly necessary for graves themselves. They also indicated that further exhumation and concentration might be required.

"British delegation, with support of Allied delegations, absolutely refused to consider Turkish pretensions, and pointed out that Turks could not expect us to evacuate Gallipoli Peninsula until we were fully assured that our cemeteries already established there would be left completely undisturbed."

[E 965/1/44] No. 118.

Papers forwarded by the British Delegation at Lausanne (No. 74) for the information of the Foreign Office.—(Received January 25.)

(1.)

Baron Moncheur to the Marquess Curzon of Kedleston.

Délégation belge, Lausanne, le 10 janvier 1923.

Milord,

J'AI bien reçu la lettre particulière que votre Seigneurie m'a fait l'honneur de m'adresser le 4 janvier et dans laquelle elle m'exprimait l'opinion qu'une conversation entre nous, relativement à l'admission de la Belgique à la signature du traité, serait encore prématurée, vu l'état actuel des négociations.

Tout en appréciant les considérations que votre Seigneurie a bien voulu m'exposer, je me permets de lui signaler l'extrême danger qu'il y aurait à attendre le dernier moment pour s'occuper de la question dont il s'agit. En effet, si alors la délégation turque faisait opposition à ce que la Belgique soit partie au traité, le temps manquerait pour résoudre la difficulté avant que l'on passe à la signature de cet acte international.

Or, il est pour la Belgique de la plus haute importance politique d'être admise à la signature du traité. Elle a été représentée à tous les Conseils suprêmes et à toutes les conférences des Alliés qui ont eu lieu durant ces dernières années; elle a même figuré parmi les Puissances invitantes à la Conférence de Gênes. Ses délégués ont signé le Traité de Neuilly et le Traité de Sèvres, bien qu'il n'y eût pas officiellement de guerre déclarée entre la Belgique et la Turquie, ni avec la Bulgarie.

Si maintenant elle n'était pas admise à signer le traité qui se prépare, ce serait pour elle une véritable déchéance dans le concert des nations. Cette atteinte à son prestige serait d'autant plus sensible qu'elle se trouverait exclue de la participation du traité alors que ses délégués ont pris part à Lausanne, depuis les débuts de la conférence, sur l'invitation des trois Puissances invitantes, aux travaux en commission pour la préparation de cet acte international.

M. le Ministre des Affaires étrangères à Bruxelles, par une communication adressée aux Cabinets de Londres, de Paris et de Rome, a fait valoir les graves motifs qui lui font exiger que la Belgique soit partie au traité.

Il a reçu des Gouvernements français et italien l'assurance formelle que sa revendication serait appuyée par eux à Lausanne.

Comme je me plais à espérer que votre Seigneurie partage cette manière de voir, il me paraît qu'il n'y aurait plus d'autre obstacle à la réalisation du désir de mon Gouvernement que l'opposition éventuelle des Turcs.

Ainsi que j'avais l'honneur de le dire au début de cette lettre, il serait d'une grande importance de sonder leurs dispositions sans délai, autrement la délégation belge sera exposée à être écartée au dernier moment de la signature.

Un autre motif impérieux me met dans la nécessité de connaître les vues définitives des Turcs.

En effet, dans l'hypothèse—qui, j'y compte bien, pourra être écartée, vu les droits indiscutables de la Belgique et l'appui bienveillant promis par les Puissances—où l'opposition des Turcs à la signature du traité par la Belgique serait irréductible, il faudrait que la délégation belge avise à un autre moyen de bénéficier des avantages et droits que les clauses du traité assureront aux États alliés, spécialement dans l'ordre économique et financier. Cela ne pourrait être réalisé que par une disposition inscrite dans le traité lui-même, ainsi que cela a eu lieu en faveur de certains autres pays dans les traités antérieurs. Mais naturellement il serait trop tard pour obtenir cette insertion si je n'apprenais qu'au dernier moment que la perspective de signer le traité tout entier doit être abandonnée par la Belgique.

Dans ces conditions, je me permets, selon les instructions de mon Gouvernement, de m'adresser à la bienveillante intervention de votre Excellence, afin qu'elle veuille bien, d'accord avec les délégués des deux autres Puissances invitantes, s'assurer en temps utile du consentement de la délégation turque à l'admission de la Belgique comme partie au traité.

J'ai déjà fait valoir, dans cette lettre auprès de votre Seigneurie, les considérations qui justifient pleinement l'exercice du droit que réclame la Belgique.

J'ajouterai, ainsi que l'avait fait en 1919 M. le Ministre des Affaires étrangères Hymans, dans une lettre qu'il adressait à M. Clemenceau, que, bien que la guerre n'ait

pas été déclarée par la Belgique à la Turquie et la Bulgarie, les ressortissants belges ont souvent été traités en ennemis dans ces deux pays.

Quant à la manière de s'assurer que la délégation turque ne fera pas d'objection à ce que la Belgique signe le traité, il y aurait un moyen que je suggérerais à votre Seigneurie si elle veut bien me le permettre.

J'apprends qu'un avant-projet du texte du traité sera soumis à la délégation turque dans peu de jours. Ce texte débutera sans doute, comme celui du Traité de Versailles et celui de Sèvres, par l'énumération des Puissances qui y seront parties: d'abord, les Puissances désignées dans le traité comme principales Puissances alliées; ensuite, celles constituant, avec les principales Puissances alliées désignées d'abord, les "Puissances alliées."

Il suffirait d'inscrire la Belgique, dans le texte de l'avant-projet, au nombre des Puissances désignées dans la seconde catégorie et qui seront sans doute moins nombreuses que dans le Traité de Sèvres.

Il est très vraisemblable que la délégation turque, constatant que le nombre des Puissances indiquées dans cette seconde catégorie est quand même assez limité, ne fera pas d'objections à ce que la Belgique y figure.

La question serait ainsi solutionnée sans démarches directes auprès de la délégation turque pour obtenir l'admission de la Belgique.

En recommandant à la bienveillante attention de votre Seigneurie les considérations que je viens de lui exposer à propos d'une question qui a une importance vitale pour la Belgique, aussi bien au point de vue de sa situation politique que des intérêts de ses ressortissants qui sont si considérables en Turquie, je saisis, &c.,

BR. MONCHEUR.

(2.)

The Marquess Curzon of Kedleston to Baron Moncheur.

British Delegation, Lausanne, January 22, 1923.

Your Excellency,

I HAVE carefully considered your note of the 10th January regarding the desire of the Belgian Government to sign any treaty of peace which may be considered here with the Turkish Government, and I now have the honour to offer in reply the following observations.

As your Excellency is doubtless aware, the invitations to the present conference were decided upon at a meeting between the representatives of the three Principal Allied Powers in Paris in September. The basis of the conference was the necessity of concluding peace between Greece and Turkey, and, at the same time, of ending the state of war which existed technically between Turkey and those Allies who had been at war with her since 1914.

In the interests of rapid and effective negotiation, it was thought desirable to confine the Powers who were to be represented at the conference to the four Principal Allied Powers, Greece and Turkey, but it was felt that, as the return of Turkey to Europe was one of the main political questions at issue, Roumania and Jugoslavia as Allied Balkan Powers should also be invited. Similarly, as another of the principal political questions at stake was the future status of the Straits, it was considered necessary to admit a participation of Bulgaria and Russia, limited to this question. Invitations were accordingly sent by France, Great Britain and Italy to the other above-mentioned seven Powers. Soon afterwards the United States Government, who had sent a representative as an observer to the conference at San Remo when the Treaty of Sèvres was finally drawn up, indicated their willingness to be similarly represented at the Lausanne Conference—a suggestion which the three Principal Allied Governments naturally welcomed.

After these invitations had been despatched and accepted, your Excellency will remember that the question of Belgian representation was raised by the Belgian Government, and, after some discussion between London, Paris, Rome and Brussels, you yourself suggested to me a formula which was adopted by the three Governments as the basis of Belgian representation here. This formula read as follows:—

> "In view of the importance of the economic and financial interests of Belgium in the East, proposals should be made to the Belgian Government to send to Lausanne two delegates who would be summoned by the president of the conference, at their request, to take part in the discussions when financial and economic questions of special interest to Belgium are being studied."

In accordance with this formula, your Excellency and your experts have taken part in the financial and economic sub-commissions (including those at which the capitulary régime in its various aspects has been discussed), and you attended the recent meeting of the Marquis Garroni's Commission when the future of the judicial Capitulations was being discussed. I am not aware, however, that your Excellency has either claimed to take part or has taken part in any of the meetings of the political commission or sub-commissions.

I quite appreciate the desire of your Government to sign the whole treaty, as they signed the Treaty of Neuilly and the Treaty of Sèvres, but the present circumstances and negotiations are anomalous and unlike any of the negotiations which led to the conclusion of the other treaties of peace. Moreover, as far as the British records show, no Belgian representative took part in the meetings of the Supreme Council or in the Council of Foreign Ministers and Ambassadors which drew up the Treaty of Sèvres at London and San Remo in 1920.

In these circumstances, and in view of the fact that Belgium was not mentioned among the participating Powers when the invitation to this conference was sent to the Turkish Government, it is clear that a very strong case on its own merits would have to be made out in order to induce the Turks to accept Belgium's signature of the whole treaty; and as I gather from your last letter to Sir H. Rumbold, this is a request which Ismet Pasha, on behalf of his Government, has already refused.

If I am rightly informed, Belgium's interest in Turkish affairs, apart from the general question of political prestige, is really confined to the economic, financial and judicial settlement as affecting, firstly, the liquidation of the past and, secondly, the régime to be established by the treaty for the future.

Upon the former point I assume that the interests of Belgian bondholders in the debt will, in effect, be adequately safeguarded by any provisions accepted in the treaty by France, whose bondholders in the debt are far more numerous than the Belgian—without the necessity of a Belgian signature of the treaty.

As to the future, we propose to combine the provisions in question in one or more separate conventions, so as to enable the interested Powers, who will not be signatories of the Treaty of Peace, to accede by a special Act to the conventions which establish the status of foreigners before Turkish courts and the economic régime (tariffs) in the future Turkey. This proposal will presumably give to your Excellency the satisfaction which your Government desires.

I have, &c.
CURZON OF KEDLESTON.

[E 966/1/44] No. 119.

Échange des Populations.—Projet de Convention.—(Communicated by British Delegation, Lausanne (No. 75; Received in Foreign Office January 25.

LE Gouvernement de la grande Assemblée nationale de la Turquie et le Gouvernement de Sa Majesté le Roi de Grèce sont convenus des dispositions suivantes:

ARTICLE 1er.

Réservé par la délégation turque. Il sera procédé dès le 1er mai 1923 à l'échange obligatoire des ressortissants turcs de religion grecque-orthodoxe établis sur les territoires turcs et des ressortissants grecs de religion musulmane établis sur les territoires grecs.

Aucune de ces personnes ne pourra venir se rétablir ni en Turquie, ni en Grèce, sans l'autorisation du Gouvernement respectif.

ARTICLE 2.

Adopté. Ne seront pas compris dans l'échange prévu à l'article 1er:

(*a.*) Les habitants grecs de Constantinople;

(*b.*) Les habitants musulmans de la Thrace occidentale.

Seront considérés comme habitants grecs de Constantinople tous les Grecs déjà établis avant le 30 octobre 1918 dans les circonscriptions de la préfecture de la ville de Constantinople, telles qu'elles sont délimitées par la loi de 1912. . . . . .

Réservé par la délégation turque. et dans les villages desservis par les stations de la ligne du Chemin de Fer d'Anatolie jusqu'à Pendik inclusivement.

Seront considérés comme habitants musulmans de la Thrace occidentale tous les musulmans établis dans la région à l'est de la ligne frontière établie en 1913 par le Traité de Bucarest. Réservé par la délégation turque.

ARTICLE 3.

Adopté. Les Grecs et les musulmans ayant déjà quitté depuis le septembre 1912 les territoires dont les habitants grecs et turcs doivent être respectivement échangés seront considérés comme rentrant dans l'échange prévu dans l'article 1er.

L'expression "émigrant" dans la présente convention comprend toutes les personnes physiques et morales devant émigrer ou ayant émigré depuis septembre 1912.

ARTICLE 4.

Adopté. Tous les hommes valides appartenant à la population grecque dont les familles ont déjà quitté le territoire turc et qui sont actuellement retenus en Turquie constitueront le premier contingent de Grecs envoyés en Grèce conformément à la présente convention.

Par mesure d'anticipation et en exception à l'article 1er, le Gouvernement turc s'engage, dès la signature de la paix, à libérer et à assurer le départ des hommes valides en question.

ARTICLE 5.

Adopté. Sauf les stipulations des articles 9 et 10 du présent accord, aucune atteinte ne sera portée aux droits de propriété et créances ni des Grecs de la Turquie, ni des musulmans de la Grèce, par suite de l'échange à effectuer en vertu du présent accord.

ARTICLE 6.

Adopté. Il ne pourra être apporté aucun obstacle au départ d'une personne appartenant aux populations à échanger pour quelque cause que ce soit. En cas de condamnation définitive à une peine afflictive et en cas de condamnation non encore définitive ou de poursuite pénale contre un émigrant, ce dernier sera livré aux autorités du pays où il se rend par les autorités du pays poursuivant, afin qu'il purge sa peine ou qu'il soit jugé.

ARTICLE 7.

Adopté. Les émigrants perdront la nationalité du pays qu'ils abandonnent dès l'instant où ils l'auront quitte, et ils acquerront celle du pays de destination dès leur arrivée sur le territoire de ce pays.

Les émigrés qui auraient déjà quitté l'un ou l'autre des deux pays et qui n'auraient pas encore acquis leur nouvelle nationalité, l'acquerront à la date de la signature de la présente convention.

ARTICLE 8.

Adopté. Les émigrants seront libres d'emporter avec eux ou de faire transporter leurs biens meubles de toute nature, sans qu'il leur soit imposé de ce chef aucun droit, soit de sortie, soit d'entrée, ni aucune autre taxe.

De même, les membres de toute communauté (y compris le personnel des mosquées, tekkes, medresses, églises, couvents, écoles, hôpitaux, sociétés, associations et personnes morales, ou autres fondations de quelque nature que ce soit), qui doit quitter le territoire d'un des États contractants en vertu du présent accord, auront le droit d'emporter librement ou de faire transporter les biens meubles appartenant à leurs communautés.

Les facilités de transport les plus étendues seront fournies par les autorités des deux pays, sur la recommandation des Commissions mixtes prévues dans l'article 11.

Les émigrants qui ne pourraient pas emporter tout ou une partie de leurs biens meubles pourront les laisser sur place. Dans ce cas, les autorités locales seront tenues d'établir contradictoirement avec l'émigrant l'inventaire et la valeur des biens meubles laissés par lui. Les procès-verbaux contenant l'inventaire et la valeur des biens meubles laissés par l'émigrant seront dressés en quadruple exemplaire, dont l'un sera conservé par les autorités locales, le second sera remis à la Commission mixte prévue à l'article 11 pour servir de base à la liquidation prévue à l'article 9; le troisième sera remis au Gouvernement du pays d'immigration et le quatrième à l'émigrant.

ARTICLE 9.

Adopté. Les biens immobiliers ruraux ou urbains appartenant aux émigrants, aux communautés visées à l'article 8, ainsi que les biens meubles laissés par ces émigrants ou communautés, seront liquidés, conformément aux dispositions ci-après, par les Commissions mixtes prévues à l'article 11.

Les biens situés dans les régions soumises à l'échange obligatoire et appartenant aux institutions religieuses ou de bienfaisance des communautés établies dans une région

non soumise à l'échange pourront également être liquidés dans les mêmes conditions, si leurs propriétaires en font la demande dans un délai de . . . .

ARTICLE 10.

Adopté — La liquidation des biens meubles et immobiliers des personnes ayant déjà quitté les territoires des parties contractantes et considérées, en vertu de l'article 3 du présent accord, comme rentrant dans l'échange des populations sera effectuée conformément à l'article 9 et indépendamment de toutes les mesures, quel que soit leur caractère, qui, conformément aux lois établies et aux règlements de toute nature édictés depuis septembre 1912 en Grèce et en Turquie, ou de toute autre manière, ont eu pour résultat une restriction quelconque du droit de propriété sur ces biens, telles qu'expropriation, confiscation, vente forcée et autres. Dans le cas où des biens visés au présent article auraient été frappés d'une mesure de cette nature, leur valeur sera fixée par la commission prévue à l'article 11, comme si les mesures en question n'avaient pas été appliquées.

Réservé par la délégation hellénique

Adopté — Au cas où les personnes visées à l'article 8 n'auraient pas touché le revenu des biens de la jouissance desquels elles auraient été privées d'une manière ou d'une autre, la restitution de la valeur de ces revenus leur serait assurée sur la base du rendement moyen d'avant-guerre, suivant les modalités à fixer par la Commission mixte.

En procédant à la liquidation des biens Wakfs en Grèce et des droits et intérêts en découlant, ainsi que des fondations analogues appartenant aux Grecs en Turquie, la Commission mixte, prévue à l'article 11, s'inspirera des principes consacrés dans les traités antérieurs, dans le but de faire valoir pleinement les droits et intérêts de ces fondations et des particuliers y intéressés.

Proposition grecque repoussée par la délégation turque — En cas d'expropriation pour cause d'utilité publique effectuée en vertu d'une loi générale, la Commission mixte pourra examiner si, dans l'estimation du bien exproprié, ou dans l'application de la loi en question, il y a eu discrimination au préjudice du propriétaire intéressé, membre d'une minorité ethnique. Dans le cas où pareille discrimination serait constatée, la Commission mixte pourra fixer le montant d'indemnisation qui aurait dû être adjugé s'il n'y avait pas eu discrimination.

Adopté — La Commission mixte prévue à l'article 11 sera chargée d'appliquer ces stipulations.

ARTICLE 11.

Dans un délai d'un mois à partir de l'entrée en vigueur de la présente convention, il sera créé une Commission mixte résidant en Turquie ou en Grèce et composée de trois membres pour chacune des parties contractantes et d'un président choisi par le Conseil de la Société des Nations parmi les ressortissants des Puissances n'ayant pas participé à la guerre de 1914-19.

Adopté — La Commission mixte aura le droit de constituer dans les endroits où il lui paraîtra nécessaire des sous-commissions travaillant sous ses ordres et composées chacune d'un membre turc, d'un membre grec et d'un président neutre, qui sera désigné par la Commission mixte. La Commission mixte décidera sur les pouvoirs à déléguer aux sous-commissions.

ARTICLE 12.

Adopté — La Commission mixte aura pour attributions de surveiller et faciliter l'émigration prévue par la présente convention et de procéder à la liquidation des biens immobiliers et mobiliers prévues aux articles 9 et 10.

Elle fixera les modalités de l'émigration et de la susdite liquidation.

D'une façon générale, la Commission mixte aura tous pouvoirs de prendre les mesures que nécessitera l'exécution de la présente convention et de décider toutes les questions auxquelles cette convention pourrait donner lieu.

Les décisions de la Commission mixte seront prises à la majorité des voix.

Adopté — Toutes les contestations relatives aux biens, droits et intérêts à liquider seront réglées définitivement par elle.

ARTICLE 13.

La Commission mixte aura tout pouvoir pour faire procéder à l'estimation des biens immobiliers et mobiliers qui doivent être liquidés en vertu de la présente convention, les intéressés étant entendus ou ayant été dûment convoqués pour être entendus.

Adopté — La base de l'estimation des biens qui doivent être liquidés sera la valeur de ces biens en monnaie d'or. Le Gouvernement du pays où la liquidation aura ou lieu devra remettre à la Commission mixte, pour le compte des propriétaires émigrants, la valeur des biens liquidés qui deviendront la propriété dudit Gouvernement, qui veillera aux moyens de les répartir équitablement entre les immigrés de l'autre pays, en consultation avec la Commission mixte.

ARTICLE 14.

Les modalités du règlement prévu à l'article 13 seront fixées d'un commun accord entre les Gouvernements intéressés et la Commission mixte en se basant sur le principe suivant : Adopté

Après que les valeurs des biens situés dans les deux pays auront été fixées par la Commission mixte, et en tant qu'il y aura équivalence entre les valeurs des biens de part et d'autre, les comptes y relatifs seront compensés.

Le montant de la valeur des biens situés dans l'un des deux pays qui, après la compensation effectuée, en vertu du paragraphe précédent, resterait sans équivalent dans l'autre pays sera versé à l'autre Gouvernement par l'entremise de la commission pour être distribué aux ayants droit. Adopté.

Les ayants droit devront recevoir en principe des biens d'égale valeur et de même nature que ceux qu'ils auraient abandonnés.

Si, après la compensation prévue à l'article 13, le Gouvernement débiteur ne se trouve pas en mesure de payer comptant la somme due, la commission pourra lui accorder des délais, en fixant les intérêts de retard. Mais, dans ce cas, le Gouvernement débiteur devra fournir des gages réels constitués par un fonds de garanties qui comprendra toutes les propriétés immobilières liquidées par la Commission mixte. Réservé.

A défaut d'accord à ce sujet, la fixation des gages sera confiée au Conseil de la Société des Nations. Réservé.

Les ayants droit devront recevoir, en principe, des biens d'égale valeur et de même nature que ceux qu'ils auront abandonnés. Adopté.

ARTICLE 15.

En vue de faciliter l'émigration, des fonds seront avancés à la Commission mixte par les Etats intéressés dans les conditions fixées par ladite commission. Approuvé.

ARTICLE 16.

Les Gouvernements de la Turquie et de la Grèce se mettront d'accord avec la Commission mixte prévue à l'article 11 sur toutes les questions relatives aux notifications à faire aux personnes devant quitter leurs territoires en vertu de la présente convention et aux ports sur lesquels elles doivent se diriger pour être transportées à leurs pays de destination. Adopté

Les parties contractantes s'engagent mutuellement à ce qu'aucune pression directe ni indirecte ne soit exercée sur les populations qui doivent être échangées pour leur faire quitter leurs foyers ou se dessaisir de leurs biens avant la date fixée pour leur départ. Elles s'engagent également à ne soumettre les émigrants, ayant quitté ou qui doivent quitter le pays, à aucun impôt ni taxe extraordinaire. Aucune entrave ne sera apportée au libre exercice par les habitants des régions exceptées de l'échange, en vertu de l'article 12, de leur droit d'y rester ou d'y rentrer et de jouir librement de leurs libertés et de leurs droits de propriété en Turquie et en Grèce. Cette disposition ne sera pas invoquée comme motif pour empêcher la libre aliénation de ses biens et le départ volontaire d'aucune personne désirant quitter la Turquie ou la Grèce avant le commencement de l'échange et qui en a reçu l'autorisation des autorités du pays de destination.

ARTICLE 17.

Les frais d'entretien et de fonctionnement de la Commission mixte et de ses organes seront supportés par les Gouvernements intéressés dans des proportions à déterminer par la commission. Adopté.

ARTICLE 18.

Les hautes parties contractantes s'engagent à apporter à leur législation respective les modifications qui seraient nécessaires pour assurer l'exécution de la présente convention. Adopté.

ARTICLE 19.

La présente convention sera ratifiée dans un délai de quinze jours à partir de sa signature, et les ratifications seront déposées à . Elle entrera en vigueur immédiatement après avoir été ratifiée par les parties contractantes.

Fait à Lausanne, le 1923, &c.

E 969/1/44] No. 120.

Ismet Pasha to the President of the Third Commission, Lausanne.—(Communicated by British Delegation (No. 78); Received in Foreign Office, January 25.)

M. le Président, *Lausanne, le 20 janvier* 1923.

J'AI l'honneur de vous remettre sous ce pli un mémorandum relatif aux dévastations grecques en Asie Mineure, ainsi que quatre tableaux annexes.

Ces tableaux démontrent la parfaite légitimité et la grande modération de notre réclamation s'élevant à £T. 1,341,639,505, pour les dommages que nous a causés la Grèce.

Je suis donc en droit de réclamer le paiement intégral des sommes exigées du chef des dévastations susmentionnées.

Veuillez agréer, &c.
M. ISMET.

Enclosure in No. 120.

Memorandum respecting Turkish Claims against Greece.

LES régions de l'Asie Mineure occupées et dévastées par les Grecs comprennent le sandjak central de Smyrne, les sandjaks de Saroukhan, d'Aïdin, de Dénizli, le sandjak central de Brousse, les sandjaks d'Ertogroul, d'Ismid, d'Eski-Chéhir, de Karassi, d'Aïoun-Kara-Hissar, de Kutahia et des Dardanelles, ainsi que le caza de Haymana, dépendant du vilayet d'Angora et quelques parties du sandjak de Mougla.

La superficie de ce vaste territoire est d'environ 135,000 kilom. carrés, c'est-à-dire plus de trois fois la superficie de la Suisse, à peu près le quart de la superficie de la France.

En 1914, sa population s'élevait à 3,207,000 musulmans, 532,200 Grecs, 179,900 Arméniens et 51,000 israélites, soit en total 3,970,100 personnes sur 15,000,000 de personnes habitant toute l'Anatolie.

Actuellement, la population des provinces dévastées n'atteint pas le chiffre de 2,000,000, les Grecs et Arméniens étant partis avec les armées helléniques et près d'un million et demi de musulmans ayant disparu à la suite des massacres et des émigrations forcées. La population israélite de la région est à peu près stationnaire.

Au point de vue économique, les régions dévastées étaient, avant les dévastations qui les ont ruinées, les plus riches de l'Anatolie et possédaient la plus grande partie (54 pour cent) des voies ferrées de cette contrée (1,812 kilom. sur un total de 3,350 kilom., y compris la partie de la ligne de Bagdad allant jusqu'à Nousseïbin).

Nous donnons ci-dessous les valeurs atteignant en 1912 quelques-uns des principaux impôts dans les régions dévastées et dans le reste de l'Anatolie pour bien faire voir l'importance économique des régions précitées.

	Pour les régions dévastées. £T.	Pour le reste de l'Anatolie £T.
Impôt sur la propriété foncière...	662,000	768,000
Agnam (impôt sur les chameaux et le petit bétail)...	326,500	810,000
Impôt de patente	71,800	92,500
Total des impôts directement perçus par le Trésor (non compris les revenus des douanes et les revenus concédés)	3,757,000	5,916,000

Ainsi donc les régions dévastées, qui, au point de vue de la superficie, ne forment que 1/5 pour cent de l'Anatolie, comprenaient :

26 pour cent de sa population totale,
54 „ de ses voies ferrées;

et payaient

17 pour cent de l'impôt foncier,
28 „ „ sur les bestiaux,
44 „ „ de patente,
38 „ des impôts directement perçus par le Trésor,

de toute l'Anatolie.

Comme on le voit, les dévastations grecques, en ruinant à fond les régions les plus riches et les plus prospères et en dépeuplant les parties les plus peuplées de l'Anatolie, ont causé de très graves dommages à la Turquie; actuellement, ces régions dévastées, d'où l'État tirait la plus grande partie de ses revenus, sont devenues une lourde charge pour le Trésor turc, et ceux de leurs habitants qui ont survécu aux calamités de ces dernières années se trouvent réduits à la plus affreuse misère.

Toutes ces considérations font que la Turquie ne peut renoncer dans aucun cas aux réparations qui lui sont dues pour les ravages causés en Asie Mineure.

Consciente de son bon droit, la délégation turque est convaincue que les délégations des Puissances alliées reconnaîtront la parfaite légitimité de la demande qu'elle a l'honneur de formuler et prend la liberté de faire connaître comme suit les dévastations grecques, qui ont été résumées dans les quatre tableaux ci-joints.

Le Tableau I contient les noms des villes détruites soit totalement, soit en grande partie, ainsi que le nombre et la valeur des bâtiments détruits dans chacune d'elles. On y trouvera, en dehors de Smyrne, les noms de vingt-six villes presque toutes entièrement détruites.

Le Tableau II contient la liste des immeubles détruits dans chacun des sandjaks occupés et les montants de ces destructions. Dans ce tableau figurent les immeubles détruits dans les campagnes ainsi que ceux détruits dans les villes qui, ayant subi des dégâts relativement peu importants, ne sont pas cités dans le Tableau I.

Les édifices religieux et scolaires, tels que mosquées, médressés, mausolées, écoles, ainsi que les fabriques et ateliers détruits dans chaque ville et sandjak n'ont pas été cités sous une rubrique spéciale dans les Tableaux I et II afin de ne pas trop surcharger ceux-ci. Leur nombre s'élève globalement à 3,593 mosquées, médressés et écoles, et à 710 ateliers, fabriques, minoteries, &c.

Au point de vue des pertes en œuvres d'art, la ville de Brousse mérite une mention spéciale. Il est très difficile, en effet, d'apprécier le montant de pareilles destructions; les dommages de cette nature ne figurent donc pas dans le Tableau I; c'est pourquoi, aux chiffres relatifs à la ville de Brousse, il faut ajouter, pour le moins, la somme de 20,126,340 fr. soit environ £T. 5,000,000, qui est le montant des estimations faites par l'ingénieur français Raymond Aubé pour les dommages infligés aux œuvres d'art de Brousse dans les premiers temps de l'occupation hellénique seulement.

Le Tableau III donne les pertes par sandjak en mobiliers, marchandises, numéraires, bijoux, instruments aratoires, machines, &c., et le Tableau IV le nombre et la valeur du bétail tué ou enlevé pour être en grande partie transporté en Grèce, soit durant l'occupation, soit au moment de la débâcle finale.

Pour donner une idée de l'étendue du mal causé par les Grecs à l'Anatolie, il nous suffira de rappeler que dans une vaste région où l'agriculture et l'élevage constituent les seules ressources de la population, celle-ci manque actuellement de bêtes de labour. Il est de même impossible aujourd'hui de trouver une poule dans les régions dévastées.

Aux nombres figurant dans ces tableaux il faut encore ajouter le montant des destructions causées par la flotte hellénique aux côtes de l'Anatolie et celui des dommages occasionnés à la marine marchande turque, soit au total £T. 258,907 + 600,000 = 858,907, ainsi que les vols et réquisitions opérés aux dépens du Croissant-Rouge ottoman et qui se montent à £T. 26,165.

En résumé, les réparations que nous réclamons à la Grèce s'élèvent à :

	£T.
Total du Tableau I	481,176,322
Total du Tableau II	177,310,945
Total du Tableau III	567,235,341
Total du Tableau IV	112,032,125
Pour les destructions opérées dans les mosquées et mausolées de Brousse	5,000,000
Pour les dommages causés aux côtes et à la marine marchande turque par la flotte hellénique	858,907
Pour les dommages causés au Croissant-Rouge ...	26,165
	1,341,639,505

Lausanne, le janvier 1923.

TABLEAU I, donnant le Nom des Villes détruites ainsi que le Nombre et la Valeur des Bâtiments de toutes sortes, tels que Maisons, Magasins, Hôtels, Entrepôts, Édifices religieux et scolaires, Fabriques, Ateliers, Minoteries, &c., détruits.

Nom des Villes détruites	Batiments détruits.	Bâtiments existant avant la Guerre.	Montant des Pertes en £T.
Magnesie	13,653	14,773	73,012,000
Ala Cheir	1,350	4,500	16,311,000
Sahhli	2,060	2,200	9,050,308
Kassaba	6,126	6,326	24,068,530
Geredess	441	Complètement détruite ..	906,000
Aidin	6,243	.. .. ..	34,437,600
Nazilli	2,121	.. .. ..	9,647,800
Senhe	1,731	Détruite en grande partie ..	7,434,900
Mihalitch	1,365	Complètement détruite ..	6,391,000
Pazow Keuy	408	.. .. ..	820,000
Bildidjik	2,245	.. .. ..	6,136,900
Sevegiol	948	.. .. ..	2,940,000
Yeni-Chéhir	1,187	A moitié détruite	5,136,000
Boz-Euyuk	748	Complètement détruite ..	1,126,000
Pazardjik	614	. ..	1,995,000
Nicea (Isnik)	845	648	1,467,400
Kara-Mursel	850	847	3,106,500*
Yalowa	252	286	772,950
Eski-Chéhir	1,867	Partiellement détruite.. ..	28,860,061*
Mihalidjik	905	Complètement détruite ..	3,364,750
Suchak	1,571	En grande partie détruite	15,496,810
Kedos	694	Complètement détruite ..	1,815,750
Tchévril	405	.. .. ..	1,539,000
Taknak (Sechme)	307	.. .. ..	897,000
Pandelma	1,305	En très grande partie détruite ..	49,122,000*
Afioun-Kara-Hissar	324	Partiellement détruite.. ..	2,123,195
Total	54,295		305,271,214
Smyrne	18,965	..	175,905,108
Total général	73,070	.. .. ..	481,176,322

* La valeur des immeubles détruits à Kara-Mursel, Eski-Chéhir, Pandelma est relativement élevée parce que ces villes contenaient de nombreux immeubles de grande valeur ainsi que des fabriques et minoteries. Dans Eski-Chéhir, ce furent les plus riches quartiers qui furent détruits.

† A l'exception des vingt-six autres villes, Smyrne fut incendiée après l'entrée des troupes turques. Cela est dû à ce qu'elle fut prise par nous, pour ainsi dire inopinément, alors que les Grecs croyaient avoir encore devant eux le temps suffisant pour opérer les destructions projetées. Néanmoins, l'organisation préparée dans ce but entra en action aussitôt après la tentative de reconquête turque et réussit à détruire la partie la plus riche de la ville.

TABLEAU II, indiquant le Nombre et la Valeur des Batiments, tant urbains que ruraux, tels qu'Édifices religieux et scolaires, Fabriques, Fermes, Habitations, &c., détruits dans chaque Sandjak, à l'exception des Bâtiments figurant dans le Tableau I.

	Batiments détruits.	Montant des pertes en £T.
Sandjak central de Smyrne...	13,599	53,562,203
„ de Saroukhan .	9,084	8,752,261
„ d'Aidin	8,326	7,995,633
„ de Dénizli	634	786,717
„ central de Brousse... ...	13,668	16,837,000
„ d'Ertogroul .	5,235	7,774,000
„ d'Ismid	17,728	27,476,597
„ d'Eski-Chehir ...	21,711	30,642,110
„ de Karassi .	6,385	21,480,495
„ d'Afioun-Kara-Hissar	278	354,980
„ de Kutahia	891	1,362,744
Caza de Haymana	1,127	286,305
Total ...	87,669	177,310,945

TABLEAU III, indiquant pour chaque Sandjak le Montant des Biens meubles, tels que Mobiliers, Marchandises, Numéraires, Instruments aratoires, Machines, Céréales, &c., enlevés ou détruits soit dans les Villes, soit dans les Campagnes.

Sandjaks.	Montant des pertes en £T.
Smyrne	64,823,731
Saroukhan	112,084,244
Aidin	110,784,322
Dénizli	1,220,517
Brousse	36 857,600
Ertogroul	21,114,032
Ismid	98,234,805
Eski-Chéhir	22,699,038
Karassi	90,369,736
Afioun	1,032,758
Kutahia	5,546,425
Dardanelles	122,321
Haymana	2,338,312
Total ..	567,235,341

TABLEAU IV, indiquant le Nombre et la Valeur des Moyens de Transport détruits ou emmenés et du Bétail enlevé ou tué.

Sandjaks.	Autos et Camions	Chevaux	Ânes et Mulets	Vaches	Bœufs Buffles *	Chameaux	Chèvres	Moutons	Charrois Voitures	Valeur du Bétail et des Moyens de Transport
Smyrne	250	10,744	14,982	24,105	32,971	5,464	102,739	156,931	1,959	20,441,206
Saroukhan ..	.	21,502	14,710	12,997	20,251	1,908	44,044	86,187	4,758	11,073,764
Aidin ..	.	7,126	4,800	7,543	11,115	30	25,471	29,581	1,512	4,278,755
Dénizli .	.	1,832	3,414	3,661	1,752	38	31,421	28,249	119	1,761,535
Brousse .	.	4,749	630	38,829	29,058	.	1,251	39,916	923	6,911,801
Ertogroul .	.	501	258	26,364	27,181	.	403	21,649	822	2,760,582
Ismid .	.	5,702	2,799	28,437	34,113	.	12,109	161,309	.	9,768,282
Eski-Chéhir ..	.	28,502	15,596	82,345	34,454	748	297,014	1,120,929	11,117	37,408,755
Karassi .	.	4,962	1,122	5,281	6,953	164	6,966	16,253	888	2,250,561
Afioun-Kara-Hissar	.	528	954	1,849	2,854	.	4,164	28,200	470	1,076,710
Kutahia .	.	14,222	2,850	17,500	18,518	.	90,922	43,752	.	7,290,710
Caza de Haymana	...	4,086	3,710	7,993	8,955	72	103,251	17,370	.	2,779,100
Total .	250	141,960	64,926	261,860	228,203	8,504	821,339	1,770,310	24,278	112,032,425

* Le reste plus de bêtes à labour dans les régions dévastées.

No. 121

The Marquess of Crewe to the Marquess Curzon of Kedleston.—(Received January 25.)

(No. 90.) | By Bag. |
(Telegraphic.) *Paris, January 24, 1923.*

ANDRÉ TARDIEU, in to-day's "Echo national," writes an excellent article headed "Les Capitulations de Lausanne, le Prix à tout Prix," in which he delivers a strong attack on the French Government for their surrender at Lausanne. Whilst it was natural that French opinion should think of the Ruhr first of all, it must nevertheless be remembered that France was until yesterday a great Eastern Power, and the colossal sacrifices which she was now consenting to at Lausanne must not be concealed. It was notorious that M. Barrère had done his best to prevent this, but neither above nor below him did he find any support. Over the question of the debt, for instance, the rights of French bondholders had been scandalously abandoned, and on every other subject the same method of French capitulation had been practised at the conference. The Turks felt so sure of winning the day over the Allies that they no longer gave themselves the trouble to give a reasoned refusal, but merely said "No." The French delegation were on their knees before them, and, as a result, the Turks showed the greatest disdain for the French, for they did not even take the trouble to

see M. Barrère off at the station, and their one wish was to come to an agreement with England. The system of peace at any price would have lost France the war, and was no less dangerous as far as the peace was concerned. It was even more dangerous at a time when France was engaged with Germany in a duel of wills. If the French Government gave way at Lausanne in order to have their hands free in the Ruhr, they pursued a mistaken policy, for the impression of French weakness at Lausanne was especially to be deplored at the moment of French military action in the Ruhr. The policy of a Great Power could not be run in water-tight compartments. The triumphant articles published in the Angora newspapers were a deplorable encouragement for the press of Cuno, Thyssen and Stinnes. The effect of surrender was bad at Lausanne—it would not be any better at Berlin.

Saint-Brice, on the other hand, declares in the "Journal" that M. Barrère will be better occupied in Rome than at Lausanne, where he failed to show sufficient independence in regard to French policy.

French public opinion will not. I feel convinced, continue to approve M. Poincaré's Eastern policy once it is generally realised what a policy of surrender it is. Disapproval thereof is already heard in conversation in many quarters, but public attention continues to be directed almost exclusively to the Ruhr, and whatever M. Poincaré may do in the East will not for the present impair his parliamentary position.

No. 122

Mr. Henderson to Mr. Lindsay.—(Received January 25.)

(No. 39.)
(Telegraphic.) *Constantinople, January 24, 1923.*

I BELIEVE Turkish desire not so much for friendship with but for protection of Great Britain, though patent, is real. Whole situation would be changed if Great Britain were prepared individually to guarantee Constantinople, if only for period of years, against aggression only and on sole ground of Britain's wish as greatest Moslem Power to guarantee seat of the Caliphate. Effect of such a step, if it were possible, would, I believe, be instantaneous and immense, not only in Turkey, but throughout Asia and Africa. It is especially with regard to its far-reaching effect in British Moslem dominions, owing to its appeal to imagination, that I venture to beg its serious consideration. Risk and commitments which such proposal involves seem to me far outweighed by political and commercial advantages which would be secured thereby. Mere fact of existence of such guarantee would suffice against any Power except, possibly, Russia. I doubt if France could [? ultimately] afford to refuse to associate herself in it

(Sent to Lausanne, No. 48.)

No. 123.

Mr Henderson to the Marquess Curzon of Kedleston.—(Received January 25.)

(No. 40.)
(Telegraphic.) *Constantinople, January 25, 1923.*

YOUR telegram No. 17
Following from Smyrna :—

Permission from Angora might perhaps facilitate entry, but would otherwise afford no protection. I feel present policy is justified so long as no definite prospect of peace is in sight. Situation at Smyrna remains unchanged, and cannot improve until issue of conference is clear. I would, however, agree to modification which would allow a few genuine business men to return who are prepared to accept risk with their eyes open, but am still opposed to return of employees under compulsion of their firms."

I agree generally, and think special exceptions can be made under conditions (*b*) and (*c*)

No. 124

Mr. Henderson to Mr. Lindsay.—(Received January 25.)

(No. 41.)
(Telegraphic.) *Constantinople, January 25, 1923.*

ACCORDING to telegram from Colonel Mougin, Angora Government have appealed to France to support their proposal for plebiscite for Mosul, and have expressed wish to have reply before 27th January.

French High Commissioner said that he did not understand reason for fixing date. It is, however, possibly in connection with discussion which, as I hear from usually well-informed source, is said to be proceeding between Council of Ministers and Ayalof in regard to Russian Treaty of Alliance.

Nevertheless, it is difficult to believe that Turkey, if she managed not to compromise herself with Russia during three years of isolation, will lightly do so now when she is returning to Europe on practically her own terms. She has two means of pressure, her army and Russia, and doubtless means to make full use of both.

(Sent to Lausanne, No. 49.)

No. 125

The Marquess Curzon of Kedleston (No. 17) to Mr. Henderson.—(Repeated to Foreign Office; Received January 25.)

(No. 233.)
(Telegraphic.) R. *Lausanne, January 25, 1923.*

YOUR telegram No. 37

On 10th January Ismet Pasha addressed to me similar protest against removal by British forces of portions of four motor gunboats on 31st December, removal of portions of three beached motor-boats on 2nd January, and removal on the same day of various arms, &c., from Matchka and Tash Kishla. Note stated that Angora War Office had already protested to General Harington, and concluded with demand for return of all material in question.

Although this was addressed to British delegation only, I consulted Allies, and obtained their full concurrence in reply, which I sent on 24th January

This reply reminds Ismet of article 20 of armistice of October 1918, in execution of which all material of demobilised Turkish army was placed at the disposal of the Allied forces, and for which Allies are responsible to no one except themselves. Note rebuts suggestion that material in question was simply deposited with Allies, and denies that Turkey still has any rights in it.

Text clearly states that this answer has been returned in agreement with Allied Governments.

[E 1004/1/44]

No. 126.

Lausanne Conference on Near Eastern Affairs.

(Strictly Confidential.)

TERRITORIAL AND MILITARY COMMISSION.

Draft Minutes of the Twentieth Meeting, January 10, 1923, at 11 A.M., under the presidency of Lord Curzon.—(Received in Foreign Office, January 26.)

Present :

BRITISH EMPIRE.	FRANCE.	ITALY.
The Marquess Curzon of Kedleston.	M. Barrère.	Marquis Garroni.
Sir H. Rumbold.	M. Bompard.	M. Montagna.
		M. Lagos.

UNITED STATES OF AMERICA.	JAPAN.	GREECE.
Mr. Child.	Baron Hayashi.	M. Venizelos.
Admiral Bristol.	Mr. Ochiai.	M. Caclamanos.
Mr. Grew.		

ROUMANIA.	SERB-CROAT-SLOVENE STATE.	TURKEY.
M. Diamandy.	M. Rakitch.	Ismet Pasha. Riza Nour Bey.

Also present

BRITISH EMPIRE.	FRANCE.	ITALY.
Sir W. Tyrrell. Mr. Ryan. Lieut.-Colonel Heywood. Mr. Nicolson. Mr. Forbes Adam. Mr. Leeper. Mr. McClure.	M. Fromageot. M. Laporte. Lieut.-Colonel Courtin. M. Bargeton. M. de Percin. M. Barois.	M. Arlotta. M. Guariglia. M. Galli. M. Polverelli.

UNITED STATES OF AMERICA.	JAPAN.	GREECE.
Mr. Dwight. Mr. Amory.	Mr. Nagaoka. Mr. Sato. Mr. Koshida.	General Mazarakis. M. Dendramis. M. Politis.

ROUMANIA.	SERB-CROAT-SLOVENE STATE.	TURKEY.
M. Contzesco	M. Antitch.	Chukri Bey. Dr. Nihad Rechad.

Secretariat-General.

M. Massigli, *Secretary-General of the Conference.*

BRITISH EMPIRE.	FRANCE.	ITALY.
Mr. Spring-Rice. Mr. Wicks.	M. Lagarde.	M. Indelli.

UNITED STATES OF AMERICA.	JAPAN.	GREECE.
Mr. Belin.	Mr. Hotta.	M. Collas.

SERB-CROAT-SLOVENE STATE.	TURKEY.
M. Georgevitch.	Rechid Safvet Bey

THE commission had before it the report of the sub-commission on exchange of populations (see annex).

M. MONTAGNA reminded the delegates that on the 1st December the commission had decided, after hearing Dr. Nansen's report on the results of his investigations in Turkey and Greece into the position of the minorities, to appoint a small committee for the purpose of examining the question and endeavouring to conclude an agreement which would not figure in the treaty. The questions to be covered by this agreement were, indeed, quite unrelated to the treaty of peace, and called for immediate settlement. Dr. Nansen had followed up his statement before the commission by furnishing further explanations to the sub-commission which the latter had found most useful.

At its first meeting the sub-commission had recognised that it had to deal with three categories of questions, namely, the handing back of civilian hostages, the exchange of prisoners of war, and the exchange of populations (Greek and Turkish minorities).

There had been no difficulty in reaching prompt agreement on the first question. It was agreed that the Turkish civilian hostages who had been taken from Anatolia to Greece should be sent back within a short period; it only remained to determine how long that period should be.

The Greek delegation had pointed out that it was not quite correct to say that civilian hostages were being detained by Greece alone, and had stated that some were held by Turkey also. It had been agreed without any difficulty that these latter hostages should be sent back simultaneously with the Turkish hostages who had been detained by Greece.

The sub-commission had therefore reached complete agreement on this point, subject to the settling of certain ways and means, such as the date on which the handing over was to take place, and the appointment of a commission of the International Red Cross for the purpose of ensuring that the operation should be carried out as quickly as possible and in a manner which gave satisfaction to both sides.

The sub-commission had then discussed the exchange of prisoners of war. On this question likewise it had proved possible to reach agreement very promptly.

There had been some points of difference between the Greek and Turkish delegations; but the principle had finally been laid down that Greece should send back forthwith the prisoners of war now in her hands, and that the Turkish Government should return to Greece an equal number of Greek prisoners of war. This exchange was to take place almost simultaneously, since the ships which conveyed Turkish prisoners of war to Smyrna were to return to Greece with the same number of Greek prisoners of war on board. This exchange was likewise to be supervised by a commission of the International Red Cross. The Greek and Turkish prisoners of war who remained behind after this exchange had been effected were to be sent back after the conclusion of peace.

The sub-commission had then proceeded to examine the third question, that of exchange of populations.

M. Montagna pointed out to the commission the great difficulties which the sub-commission had encountered in attempting to solve this question. The two parties concerned had argued that it was impossible to carry through so vast a movement of populations, because the space available for receiving the exchanged inhabitants was insufficient. At this point a fresh idea had been put forward, namely to exclude from the exchange the Greek population of Constantinople on the one hand and the Moslem population of Western Thrace on the other. It was agreed to adhere to the principle of a general exchange except as regards these two elements.

The sub-commission first had to decide the question whether the exchange of populations was to be voluntary or compulsory. Dr. Nansen himself had recommended the compulsory system; but in the course of the discussions at the sub-commission the Greek delegation asked that the exchange should be voluntary, a proposal which the Turkish delegation rejected. The sub-commission then accepted the obligatory principle on the ground that the main commission had apparently been inclined to favour it.

The Turkish delegation agreed to the principle of the Greek population of Constantinople being excluded from the exchange, but wished to attach to it such restrictions and conditions as would have resulted in nullifying the concession which they had just made. However, in view of the assistence of M. Montagna and the Allied delegations the Turks had withdrawn their objections, and modified or suppressed the conditions which they had proposed.

It had finally been agreed that all Greeks, whether of Hellenic or Turkish nationality, should remain at Constantinople. Only one exception had been made by the Turks, in respect of Greeks who had migrated to Constantinople since the 30th October, 1918; but M. Montagna hoped that if agreement could be reached on another condition concerning which it had hitherto proved impossible to come to terms, the Turkish delegation might consent to enlarge the concessions already made by them, taking as their guide those feelings of justice, fairness and conciliation with which, M. Montagna willingly recognised, they were animated. He hoped they would agree that even the Greeks who had been obliged to leave Constantinople in consequence of recent political events should be able to return to their homes; and he felt confident that permission to remain would likewise be granted to the Greeks resident within the prefecture of Constantinople, in localities which were inseparable from the economic and social life of the capital. He further hoped that immigrants would not be excluded from the benefits of these provisions.

M. Montagna pointed out that it had proved impossible to secure the complete adoption of the proposed agreement—which formed a single whole, all clauses of it being mutually interdependent—on account of a condition laid down by the Turkish delegation. While all the other questions had been settled by the sub-commission in the course of five or six meetings, about twenty meetings had been entirely devoted to the last question which it discussed. That question had arisen almost incidentally; all the parties had been able to argue their case; the British and French delegations had made various proposals with a view to finding a common ground of understanding, and the United States delegation also had expressed their opinion; but even so it had been impossible to solve it. All the sub-commission could do was to refer the difficulty to the main commission. That question was that of the Patriarchate.

The Turkish delegation had demanded that the Œcumenical Patriarchate should be removed from Constantinople. It was a matter for regret that the solution of a

problem involving the tranquillity and peace of hundreds of thousands should remain in suspense on account of this question alone.

All the clauses of the agreement were connected with one another, as M. Montagna had just said; but this connection did not apply to the matters regulated by those clauses. The first two questions could apparently be handled independently of the third. For this reason M. Montagna asked that in the event of the commission being unable to reach agreement on the Patriarchate question, the provisions respecting the handing back of civilian hostages and the exchange of prisoners of war might be regarded as definitely adopted in the form laid down by the sub-commission.

As the sub-commission on the exchange of populations had come to the end of the task assigned to it, M. Montagna referred back to the main commission the whole of the question which remained unsolved.

LORD CURZON spoke as follows:

"I think that the commission owes a great debt of gratitude to M. Montagna and to the sub-commission for the long and in many respects successful pursuit of their labours. M. Montagna has just given us a very clear and concise résumé of the work of his sub-commission. He pointed out firstly that its work was on rather a different level from that of the other sub-commissions, since it was appointed not directly in connection with the treaty which we are about to make, but arose out of communications made to us by Dr. Nansen; and secondly that its work was of immediate importance, because it concerned large classes of people and communities whose position and fate were a matter of very general interest.

"M. Montagna alluded to the proposals made by his sub-commission and agreed to by the Turkish delegation with regard to several of these groups.

"Firstly, an immediate agreement was reached with regard to the return of civil prisoners and hostages. I believe there are about 4,000 Turks of this category in Greece.

"Secondly, as regards Greek and Turkish prisoners of war, I understand the arrangement is that there should be an exchange of equal numbers on both sides after the conclusion of the agreement, and that the rest of the prisoners shall be returned upon the conclusion of peace.

"In his concluding observations M. Montagna expressed the hope that whatever happened to the other parts of this agreement, these two arrangements would be proceeded with at once. I think there is very great force in this proposal, since it is a severe hardship for these prisoners of war to remain in a foreign country whether it be Greece or Turkey. I therefore hope that arrangements may be made without delay for their exchange.

"The third proposal of the sub-commission was one for the exchange on a much larger scale of Greek and Turkish populations. I agree with M. Montagna in thinking that it was a great misfortune that this had to be done by compulsory methods; but there seems to have been general agreement on the part of all the persons who have been consulted that this is not only the best, but an inevitable method in the circumstances.

"The next group in M. Montagna's classification consisted of the Greeks in Constantinople—some 300,000 in number—and the Moslems in Western Thrace.

"I need not repeat the reasons for which many of us felt very strongly about the question of the Greek population in Constantinople. It is sufficient to say that most people thought that the expulsion of these Greeks would be a great economic loss to Constantinople on the one hand, and that, on the other hand, it would enormously aggravate the difficulty experienced by Greece in finding homes for all these refugees. I learn that in the proceedings of the sub-commission the Turkish delegation, as well as the representatives of the Allies, exhibited the utmost goodwill in discussing these points, when suddenly a question was raised which had not been mentioned when we appointed the sub-commission, a question which I never dreamt for a moment would appear upon the scene. The Turkish delegation raised the question of the Patriarchate of Constantinople and endeavoured to make its abolition a condition of the retention of the Greeks in that city. This was the rock upon which M. Montagna's ship appeared likely to be wrecked, and he has accordingly handed the matter over to me to settle. I am going to do my best.

"The Greek Patriarchate at Constantinople has existed there for many hundred years. The conference will remember that Ismet Pasha some weeks ago reminded us of the great Mahommedan conqueror who first gave certain privileges to the Patriarch. Since that date these privileges have been confirmed and added to by successive Sultans of Turkey. Moreover, a practice has grown up during this period whereby, although this functionary is the head of the Greek Orthodox Church, he has always remained a functionary of the Turkish Government from whom he receives his appointment. Thus, in the last 500 years this figure has grown to be one of the most venerated spiritual figures in the whole world.

"Just look at what has been said in this room and in the press since this conference began. We had a very strong pronouncement from the chief American delegate, showing that far away in the United States great importance is attached to this question. Since I have been here I have been overwhelmed every day with letters and telegrams from all sorts of people all over the world, but none of them are more frequent or more full of profound feeling and conviction than those which I receive about the Patriarchate.

"I have hitherto been speaking about the spiritual and ecclesiastical functions of this prelate. I now want to make some admissions to the case of the Turkish delegation. The Patriarch of Constantinople has enjoyed, in virtue of the decrees to which I have referred, powers and functions of a civil and administrative character. I am told that the case made by the Turkish delegation at the sub-commission was that these powers have been used in recent years for political purposes; the Turks have even alleged that the Patriarchate has become the centre of political agitation. Now if these contentions are true they may be regarded as sufficient reason for modifying or curtailing or even removing the political privileges of the Patriarch. There would be a good case for doing that if it could be shown that these powers are abused or that they constitute any danger to the Turkish State; but that would not be any reason for destroying the spiritual and ecclesiastical privileges of the Patriarch. There seems to me to be no reason why the Patriarch should not continue to exercise his spiritual and ecclesiastical prerogatives without enjoying any sort of political or administrative authority at all. On the other hand, if these spiritual and ecclesiastical prerogatives were to be destroyed and the seat of the Patriarchate removed from Constantinople a shock would be delivered to the conscience of the whole civilised world.

"Now do not the reflections which I have ventured to put before the commission suggest what is really the best solution of this matter? I should like to state on behalf of my colleagues, all of whom I know agree with me, that the Allied Powers recognise that the institution of the Patriarchate should in future lose its political and administrative character, and that while continuing to remain at Constantinople it should become a purely religious institution. That is the suggestion which I venture to submit to the Turkish delegation and to the conference.

M. BARRÈRE entirely concurred in the statement made by M. Montagna, and in the remarks with which Lord Curzon had completed it. He wished to call attention to the fact that apart from the principles adopted in regard to the exchange of civilian hostages and prisoners of war, agreement now existed in the matter of exchange of populations on the following points:

1. There was to be a compulsory exchange of populations between Turkey and Greece, with the exception of the Moslems of Western Thrace and the Greeks of Constantinople.
2. The first contingent of persons exchanged was to consist of the men interned in Anatolia at the time of the Greek exodus from Asia Minor, and separated from their families, who were to be sent back to Greece. This operation was to take place in the near future.
3. The exchange of Greek and Moslem populations was not to be carried out until May 1923 for humanitarian reasons.
4. Special commissions of the International Red Cross were to supervise the execution of the exchange on both sides.
5. Special commissions were to be entrusted with the task of estimating the value of property abandoned on both sides with a view to compensation, in accordance with regulations which were to be drawn up. If the value of this property in one of the two countries exceeded that of the property in the other country, the surplus was to be paid over by the State concerned to these mixed commissions. The latter would likewise be required to effect the distribution of the property and of all sums paid over to them among the parties entitled thereto.
6. All Greeks resident in Constantinople without distinction, whether of Turkish or Hellenic nationality, were to be allowed to remain there with the

exception of those who had migrated to Constantinople since the 30th October, 1918.

7. For the purposes of the preceding paragraph the area of Constantinople was to be that of the prefecture of the city as laid down in the most recent law on the subject.

One most important question still required to be settled, that of the Patriarchate.

M. Barrère cherished the hope that it would prove possible to settle this question on the basis proposed by Lord Curzon; if this were done, the commission would be able to record complete agreement on the matters referred to the sub-commission, and would surely recognise that it was impossible to attain any more satisfactory result.

M. DIAMANDY reminded the commission that the Roumanian Church, being independent and autocephalous, was connected with the Œcumenical Patriarchate by spiritual bonds only.

He ventured to point out to the Turkish delegation in a friendly spirit that the religious conscience of the Roumanian people would be wounded if summary methods were employed against the Patriarchate, which had been established at Constantinople for centuries.

Ismet Pasha had stated at a plenary session, in a speech to which his hearers had listened with much interest and close attention, that the national and religious tolerance of the Turkish people had asserted itself throughout the ages and was traditional in Turkey. The modern conception of States likewise postulated the same broad spirit.

The Roumanian delegation were convinced that at a time when (as all the delegations hoped) friendly relations were about to be re-established between Turkey, a great Islamic Power, and the Christian States represented at the conference, it would be an act of political wisdom not to offend religious feeling by injuring ancient institutions. The present hour afforded proofs of the fact that such affronts to man's inmost conscience, even when they could be traced back to the remote past, frequently left among peoples an impression which it was most difficult to efface.

M. RAKITCH said that he did not wish to restate the economic and legal arguments bearing on this question, but would confine himself to calling attention to the moral consequences and the painful feelings which would be created throughout the world if the Turkish delegation persisted in rejecting even the fresh concessions now made to them.

He wished in a sense to enlarge the idea of Auguste Comte that "mankind consists more of the dead than of the living," and to apply it to institutions which were venerable through their very age and the services rendered by them in the past, and had largely contributed to the formation of humanity in its present state. This was the case with the Œcumenical Patriarchate of Constantinople, which had always played a most important part in the moral development of a certain portion of the human race. For many centuries successive generations had appealed to the Patriarchate for succour and assistance, for consolation in times of trial, for guidance in regard to principles of conduct and of high Christian morality in daily life. Its disappearance would create so great a moral void that a part of civilisation would seem to disappear with it; the conscience of people of all religions would be stirred, and no one could fail to make one observation, namely, that, among all States of the world, the Turkish State was the only one which denied a proper place to a venerable Christian institution, dating back many centuries, established at Constantinople long before the Caliphate itself, with an uninterrupted record of activity in the cause of civilisation and moral beneficence, even in the remote times of intolerance and religious persecution. This observation could not redound to the credit of the Turkish State, which claimed and desired to rank among modern States; and the moral consequences of such a situation would not be slow in making themselves felt.

This was the point to which M. Rakitch, who entirely concurred in Lord Curzon's proposal, wished to invite the special attention of the Turkish delegation.

M. VENISELOS said that he would examine briefly the arguments employed by the Turkish delegation in favour of the abolition of the Patriarchate or its removal from Constantinople. Riza Nour Bey had insisted at the sub-commission that the Patriarchate would always exercise political activity, and that it had made common cause with the enemies of the former Ottoman Empire during the last war. M. Veniselos pointed out that the Patriarchate had existed side by side with the Ottoman Empire for five centuries, and this was the first occasion on which the Turkish Government

had found cause to complain of its action. In no question, save that mentioned by the Turkish delegation, had the Patriarchate failed to observe the loyalty which it owed to the Ottoman Empire. M. Veniselos wished to give a definite instance in support of his argument. About a hundred years ago the Patriarch Gregory V was hanged after the Greek insurrection of 1821, but that execution did not take place because the Ottoman Government held the Patriarch personally responsible for the insurrection. Quite the reverse was the case: the head of the Greek Orthodox Church was so earnest in the loyalty due from him to the Government that he even went so far as to pronounce excommunication against such Ottoman subjects as might take part in the rising. He was hanged on the strength of the idea, which was current at the time, that he represented symbolically the total mass of the Greek nation, for whose actions he was responsible in his capacity of "mile bachi," or head of the Greek nation, and was recognised as such by the Ottoman Government.

No proof of disloyalty on the part of the Patriarch could be derived from the events which occurred during the last war, or, to be more precise, since the armistice of Mudros, for previously the Ottoman Government had not had any ground for reproach against him. One must bear in mind the great turmoil in men's consciences to which a cataclysm such as the war had given rise, and it would be both unjust and dangerous to judge the future on the basis of the past. With a view to answering the objections of the Turkish delegation, M. Veniselos wished to quote the following written statement which had been read to the sub-commission by Riza Nour Bey on the 16th December:

"The Government of the Grand National Assembly grants to the non-Moslem minorities who reside in Turkey the same rights as are conferred upon minorities in the States which have been enlarged or newly created in consequence of the great war. The privileges which were accorded to non-Moslem communities in the former Ottoman Empire are *ipso facto* replaced by this new régime.

"As the former privileges of the non-Moslem communities arise out of the political conditions prevalent in the former Ottoman Empire, which was a theocratic monarchy, it follows that, since the separation of the Caliphate from the State, the abolition of the monarchy and the establishment of an entirely democratic régime, the religious chiefs of those communities can no longer enjoy any right or privilege which is not purely spiritual in character.

"The principle underlying the organic statutes of these various communities was to attach the spiritual head to the State as an official representative of the community and an intermediary for the execution of governmental decisions relating to the minorities.

"The relations of the Government with the educational, philanthropic and benevolent institutions are henceforward to be conducted (as in all other temporal matters) directly with these institutions themselves; and so the clergy and its hierarchical chief will only have to deal with purely religious affairs, and the Government will no longer have occasion to intervene either in these affairs or in any decisions which may be taken by the clergy in question.

"Religious freedom will give the faithful of various creeds in Turkey free scope for the fulfilment of their religious aspirations, like in other countries such as England, France, the United States, &c. The new régime will thus give a fresh impulse to religion by obliging the clergy to confine their activities to the purely religious sphere.

"The Patriarchate, which has hitherto been a political organisation, ought to be removed outside Turkey, for its past activities will prevent it adapting itself to the new situation which, by eliminating the political privileges of the Patriarchate and of the organisations dependent on it, will remove all grounds for its continued existence.

"These considerations show that the necessity of abolishing the temporal privileges of the clergy and transferring the Œcumenical Patriarchate outside the country is just as inevitable for Turkey as it is salutary for the community concerned."

M. Veniselos said that this statement justified him in asking that the Turkish Government should on this basis accept the maintenance of the Patriarchate in the form proposed by Lord Curzon, *i.e.*, a Patriarchate which would in future fulfil spiritual and ecclesiastical functions only. There was no doubt that the position of the Patriarch could be modified in this way on the basis of common law. But it was necessary, in order to prevent any misunderstanding, to state that marriage was regarded as a

sacrament by the Orthodox Church, and consequently marriage and its dissolution must be considered as coming within the province of the ecclesiastical authorities alone. Once this question were placed aside, all other attributions could be taken away from the Patriarch, the Princes and bishops of the Orthodox Church. The Turkish Government, if it did this, would only be withdrawing from the Patriarchate the attributions formerly conferred upon it by the Government; for it was the Turkish Government itself which had in bygone days considered it desirable to bestow the rights and privileges of which it now complained; it was the Turkish Government which had wished to regard the Patriarch as the political head of the Greek nation, so as to be able to exercise its influence over that nation through the agency of the Patriarch. Circumstances and ideas had now changed. Turkey wished to abolish all trace of theocracy. But even if this had not been the case, the Greek Government would have agreed to the Patriarchate being divested of all its attributions except those which were ecclesiastical and spiritual. It lay with the Turkish Government alone to cease regarding the Patriarch as the head of the Greek nation and to abolish all provisions in the law which conferred political powers on the Patriarch, *e.g.*, those provisions in the law of the vilayets which made the Patriarch a member *ex officio* of certain councils, or those in the electoral law which conferred on him the right to supervise the drawing up of electoral lists.

Further, it was possible on the basis of canon law to deny the Patriarch and his subordinates the right to intervene in questions respecting personal status and family law. Only one exception must be maintained, namely, the reservation to the ecclesiastical authorities alone of all questions concerning marriage.

M. Venizelos hoped that these explanations would convince the Turkish delegation that their arguments against the Patriarchate remaining at Constantinople did not possess the force attributed to them by that delegation, whose legitimate demands were fully met by the Greek delegation.

If the Turkish Government insisted on its original proposal despite these large concessions, not only would the conscience of all mankind be deeply wounded, but also the adoption of such a proposal would be impossible from the canonical point of view. The Patriarch was in point of fact the Archbishop of Constantinople—of that new Rome, which, owing to its prosperity in the third and fourth centuries, had been raised to the dignity of an Œcumenical Patriarchate with the assent of the Papacy. No power in the world could divest him of his obligations. The matter was so serious that if the Patriarch were compelled to leave Constantinople, the Greek orthodox community would no longer possess any organisation; if perchance some other person were to assume that title he would be schismatic and excommunicated *ipso facto*. It would therefore be futile to endeavour to give guarantees to the non-Moslem minorities if they were simultaneously deprived of their ancient ecclesiastical organisation.

In conclusion, M. Venizelos reminded the commission that the demand of the Turkish delegation went beyond the terms of the Angora Pact, which recognised that the non-Moslem minorities were entitled to the same guarantees as those granted to minorities by the European treaties. The treaties signed by Roumania and Greece included provisions for safeguarding the religious autonomy of the protected minorities. What was more, the Turkish Government, in its reply to the note from the Allied Governments of the 23rd September, undertook once more to give these guarantees to the non-Moslem minorities. It was on this condition, among others, that the Greek Government had agreed to give satisfaction to Turkey by consenting to evacuate Eastern Thrace.

The Turkish delegation must be aware that the whole Orthodox Church was united in demanding the maintenance of its head at Constantinople. If Russia had not been prevented from taking part in the present conference owing to the exceptional régime now existing in that country, the delegations would have heard through her the entreaty of over 100,000,000 of the faithful, begging that there should be no interference with the Primate of the Orthodox Church. There were thus more than 140,000,000 men who requested the Turkish delegation not to injure the institution of the Patriarchate. The Orthodox nations were not alone in making this demand. The inviting Powers had joined in their appeal, and the commission had heard the formal declaration of the Government of the United States of America, which, despite its being so far away, had insisted most earnestly that the Patriarchate ought to be maintained at Constantinople. It was inconceivable that the Turkish delegation could remain indifferent to the appeal of that great democracy, whose conscience would certainly be wounded by a decision in the contrary sense.

M. Venizelos hoped that, in view of Lord Curzon's proposal, in which he entirely concurred, the Turkish Government would not insist on removing the Patriarchate from Constantinople once it had been divested of its political prerogatives. Its maintenance in that city was, moreover, of advantage to Turkey herself, for it was not a matter of no concern to Constantinople that it should continue to be the residence of the head of the Orthodox Church. Finally, in the event of Lord Curzon's proposal being accepted by the Turkish Government, the Greek delegation were ready to take steps with a view to the setting aside of the Patriarch who was at present in power.

ISMET PASHA said that he had studied with the closest attention the report of the sub-commission which had been required to examine the questions of the exchange of prisoners and populations, and had listened to M. Montagna's remarks on the subject.

He was obliged to observe that certain questions, which had not been settled so far as the Turkish delegation knew, were represented in the report as having been definitely solved, and also that some errors of considerable importance had crept in as regards certain other questions.

The Turkish delegation had never said that the Turkish civilians detained in Greece numbered 4,000; on the contrary, they had stated that there were no less than 10,000. As a matter of fact, the information received by them up to the present time showed that the number of Turkish civilian prisoners in Greece, including persons removed from Anatolia and Eastern Thrace, amounted to 9,595 men, 251 women and 11 children, or 9,857 persons in all. The Turkish delegation had already communicated a partial list of these detained persons, and was continuing to add to it.

There were now no Hellenic hostages in Turkey, and moreover the Greek delegation had told the sub-commission that they had no information on this matter, concerning which they had not been able to make any statement at all.

When all the civilian prisoners named in the lists communicated by the Turkish delegation and all Turkish prisoners of war had been handed back to Turkey, the liberation of a number of Greek prisoners equal to that of the released Turkish prisoners of war was to be effected. It would necessarily take some time to verify all the figures in connection with this matter, and consequently it would not be possible for the Greek prisoners to leave by the ships which brought the Turkish prisoners back, for the former could not be sent home till after the numbers and complete liberation of all the latter, both civilian and military, had been verified.

However, this restoration of prisoners should be effected before the conclusion of peace, and as far as possible without loss of time.

Such Greek prisoners of war as remained in Turkey after the surrender of a number equal to that of the released Turkish prisoners were to be handed back after the conclusion of peace. The Turkish delegation had asked for the liberation of the Turkish civilian prisoners within one week, and of the prisoners of war within two weeks.

The Turkish delegation had repeatedly requested the Allied delegations to submit the decision taken regarding prisoners to the commission, independently of the question of exchange of populations. The prisoners question, being most urgent and purely humanitarian, ought not to be mixed up with the more complicated problem of exchange of populations.

The consequence of this request being declined had been to prolong the suffering and misery of the Turkish non-combatants who had been carried off as hostages, and those of the unfortunate Turkish prisoners whose complaints were constantly reaching the Turkish delegation.

Ismet Pasha was obliged to state that it would be inequitable to decide that the solution of this question should be linked up with that of an intricate political problem.

It would be most unjust towards Turkey if Greece were allowed to prolong the sufferings of the Turkish non-combatants whom she had carried off as hostages.

The Turkish delegation had asked for a plebiscite with a view to deciding the fate of Western Thrace; it was therefore natural that they should also ask for the exclusion of the population in that country from the exchange.

The population of Constantinople had also not been included in the proposed exchange, because the Allied delegations had urged that the elements which constituted a factor of commercial and economic importance should not be removed all of a sudden from a city such as Constantinople, which was a great economic centre; and also because the Allies said that residents in towns could only be exchanged in return for residents in country districts. But the exchange ought not to be effected only between the

inhabitants of villages, for there were many townspeople among the Turks who would have to leave Greece. Then, again, the statement that the Greeks of Constantinople constituted an important economic factor was not a conclusive argument in favour of their being excluded from the compulsory exchange; everyone knew that they formed a class of small traders (grocers, &c.), and that it would not be difficult to replace them.

Despite all these reasonable contentions and out of a spirit of conciliation, the Turkish delegation had agreed to accept the request of the other delegations that the Greeks of Constantinople should not in principle be subjected to the exchange.

They had however, been obliged to insist on the inclusion in the exchange of certain categories of persons among the Greeks, and they hoped that the Allied delegations would be so good as to recognise the justice and soundness of their claim in this respect.

The exceptions which they demanded were as follows:—

1. Greeks who had come to Constantinople since the 30th October, 1918;
2. Greeks living outside the limits of the prefecture of the city of Constantinople, as laid down in 1912;
3. Hellenic individuals or associations which had taken part in anti-Turkish political movements.

As regards the question of the Patriarchate, Ismet Pasha took note before the commission of the solemn declarations and assurances which had just been delivered by the Allied and Greek delegations, whereby the Patriarchate was no longer to take any part whatever in affairs of a political or administrative character and was to confine itself within the limits of purely religious matters.

In reply to certain supplementary remarks of M. Veniselos, Ismet Pasha observed that the rights of the minorities were settled by the clauses relative thereto in the section of the treaty which had already been examined.

The removal of the Patriarchate from Constantinople had been proposed by the Turks at the time when the exemption of the Greeks in that city from the exchange of populations was being contemplated.

With a view to giving a supreme proof of the conciliatory disposition of the delegation over which he presided, Ismet Pasha withdrew this proposal under the conditions just stated by him, and in reliance on the assurances of which he had already taken note.

LORD CURZON said that he would not enter into the question of the immediate exchange of hostages and prisoners of war beyond expressing the hope that the exchange would be effected at once, whatever the numbers. But as regards the declaration with which Ismet Pasha had ended his remarks, Lord Curzon was gratified to note the spirit in which his Excellency received the suggestion made by him. He was sure that the commission would have received with great satisfaction the intimation contained in Ismet Pasha's last sentence that the Turkish delegation renounced the project of requiring the departure of the Patriarch from Constantinople. He was convinced that this announcement had not only been received with great satisfaction in the conference room, but that it would produce a very considerable impression throughout the world and would facilitate the task upon which the conference wa engaged.

M. VENISELOS felt sure that after the settlement of so important a question as that of the Patriarchate, the sub-commission would experience no difficulty in bringing the whole of its labours to a conclusion.

He pointed out that the question of civilian hostages concerned persons who had been sentenced for common law offences during the period of military occupation and persons who were undergoing judicial enquiry in respect of similar offences, but had been relieved from arrest at the time when the armistice was signed. He urged that agreement should be reached as soon as possible in regard to the exchange of prisoners of war and of the able-bodied men arrested in Asia Minor. As a result of the action of the Turkish Government in retaining the portion of the Greek population which was capable of military service, it was remnants of families rather than families who had come to take refuge in Greece. He quite understood that the exchange could not take place immediately, but he asked that a date might be fixed when the exchange should be effected. This exchange would be followed by that of civilian hostages, which was of much less importance. M. Veniselos asked that the sub-commission might be summoned to meet as soon as possible for the purpose of settling the questions which were still in suspense.

M. MONTAGNA remarked that there was no occasion to discuss the figure of 9,000 Turkish civilians detained in Greece, which Ismet Pasha had given, since the exchange was to be carried out (as the report of the sub-commission indicated) in accordance with the lists presented by the two sides. This suggestion had been made by M. Veniselos and adopted by the sub-commission.

Ever since the sub-commission began its work it had been agreed that all the clauses formed a single whole, and so it was impossible, for instance, to send back the civilian hostages if provision had not previously been made for the return of the male population. He hoped that the sub-commission would have no difficulty in finding a definite solution for the points which were still unsettled.

(The commission rose at 12·35 P.M.)

Annex to No. 1.

M. Montagna to the Marquess Curzon of Kedleston.

(For text, see No. 50.)

[E 1003/1/44] No. 127.

Ismet Pasha to the Marquess Curzon of Kedleston.—(*Communicated by British Delegation, Lausanne* (No. 80); *Received at Foreign Office, January* 26.)

Lausanne, le 20 janvier 1923.

Excellence,

J'AI l'honneur de faire parvenir à votre Excellence, sous ce pli, la copie d'une lettre que j'adresse ce même jour aux délégués du Danemark, de l'Espagne et de la Hollande au sujet de la demande qu'ils ont formulé dans leur lettre du 18 courant, dont ils m'ont envoyé une copie en vue de la participation ou de l'accession de leurs pays au futur Traité de Paix.

Veuillez agréer, &c.

M. ISMET.

Enclosure in No. 127.

Note adressée aux Ministres de Danemark, Hollande et Espagne.

Excellence,

EN me référant à la lettre collective du 18 courant par laquelle votre Excellence, de concert avec leurs Excellences . . . ., a bien voulu m'envoyer une copie de la demande adressée aux présidents des délégations de Grande-Bretagne, de France et d'Italie, j'ai l'honneur de vous faire connaître comme suit le point de vue de la délégation turque au sujet de l'insertion dans le futur traité de clauses relatives à l'adhésion de Puissances autres que celles énoncées dans les notes du 23 septembre et du 4 octobre 1922, échangées entre les Puissances alliées et la Turquie. Les Puissances devant participer à l'élaboration et à la conclusion du futur traité ayant été formellement désignées dans ces deux notes, la délégation turque ne croit pas qu'il lui soit possible, par suite des pouvoirs qu'elle a reçus de son Gouvernement d'accepter la participation ou l'accession d'autres Puissances à n'importe quelle partie du traité susmentionné.

Par contre, le Gouvernement turc est disposé à conclure avec les autres Puissances et particulièrement avec le Danemark, l'Espagne et la Hollande des conventions juridiques sur la base du droit international général et le principe de la réciprocité.

Veuillez agréer, &c.

[E 1000/1/44] No. 128

Speech by the Marquess Curzon of Kedleston on January 23, 1923, respecting Mosul.—(*Received in Foreign Office January* 26.)

(For text, see No. 178.)

E 1091 1 44 No. 129

Lord Curzon's Reply to Ismet Pasha respecting Mosul, January 23, 1923.—(Received in Foreign Office January 26.)

(For text, see No. 201.)

E 1009/1/44 No. 130.

The Marquess Curzon of Kedleston to Mr. Lindsay.—(Received January 26.)

(No. 231.) [By Bag.]
(Telegraphic.) *Lausanne, January 24, 1923.*

IN view of the situation I convened a meeting with M. Bompard and Marquis Garroni this afternoon, in order to bring matters to a head. Rumbold and Crowe were also present, and the meeting lasted two and a half hours.

I began by recapitulating various stages of postponement, to which I have been forced by proceedings of the French and Italian delegations, and said that orders of His Majesty's Government did not permit me to continue this process indefinitely. It would therefore be necessary for me to leave next week, and when I went I should not go alone, but should take entire British delegation with me. Treaty must therefore be presented before that date. For this I proposed following time-table: All meetings of commissions and sub-committees to be concluded by Friday evening. The text of treaty, which is far advanced, to be completed on Saturday, to be read or reviewed if thought necessary by the principal Allied delegates on Sunday, and to be handed confidentially to the remaining Allies on that evening, and to the Turks on the following day. The meeting at which the formal presentation to the Turks shall be made to take place on Wednesday, discussion of Straits Convention, if demanded by the Turks or Russians, to be held on Thursday, departure of British delegation Friday. This will admit of an extra day should I be driven to it, but will mean, unless unforeseen obstacles occur, my return at latest on Sunday, 4th February. I told my colleagues that unless this plan were adopted I should have no alternative but to publish a full statement of our recent deplorable procedure, and to place the responsibility on the right shoulders.

After many protestations of injured innocence this time-table was accepted by the Allies, and I propose at once by making tentative enquiries of the railway company to let the plan leak out. I then said that our departure must involve the retirement not of a single delegation, but of all, in order to avoid on the one hand the appearance of Allied disunion, and on the other the risk of a Turkish attempt to reopen discussion with the party or parties left behind. This was received with enthusiasm by Marquis Garroni, who has strong domestic propensities, and with chastened satisfaction by M. Bompard. The Allies will leave behind one or two competent officials of the Fromageot type, to give such explanations as the Turks may require.

We next discussed the manner of presentation. I said it was almost incredible to me that M. Poincaré or anyone should be so nervous as to be afraid of holding a plenary session of the conference, which would in these circumstances adjourn without ever having met at all except to fix our procedure ten weeks earlier. M. Bompard wanted the text of the treaty to be sent by the three presidents in a letter. Marquis Garroni suggested three meetings of the three commissions to present the treaty in three parts, and then a fourth or plenary meeting to dispel the illusion that we were not united.

I ended by proposing, nominally to oblige M. Bompard, but in reality in order to escape a plenary sitting presided over by him with its perilous possibilities, that, as the conference and the commissions consist of exactly the same persons under a different name, we should convoke the three commissions at the same time on Wednesday next for the presentation of the treaty. I would preside over the first and explain the treaty from my point of view, then ceding the chair to Garroni, who would explain his clauses, and he to Bompard, who would explain his. In practice it will be found that any reply would have to be made by me. Even this simple but rather childish arrangement, which after all concerns nobody but ourselves, was not accepted by M. Bompard, who said he could not agree without the permission of M. Poincaré. I could not refrain from asking how his Excellency came to be

described as a plenipotentiary at all, and added that my Government could not consent that the procedure of the conference should be dictated from Paris, and that I intended to act in the manner proposed. Another difficulty was raised when both Bompard and Garroni said that they could not sign the treaty without sending the full text to Paris and Rome for examination and approval by their respective Governments—an operation which would necessarily waste another week or more of time. I pointed out that there was nothing to prevent them from sending the text in sections, as I was sure that they had already done; but said that if the whole treaty was either to be delayed by the above procedure or to be returned with suggestions for amendment, there would be no British delegation to sign it when it arrived.

I also told M. Bompard, as regards the capital concessions suggested by M. Poincaré, that I could not admit that the head of any of the three Allied Governments was justified in proposing a re-casting of the whole instrument at the last moment and that I could not accept any of them. He then dropped the matter.

The treaty to be thus presented will contain at least twenty provisions, affecting France and Italy equally with, if not more than, ourselves, which Turks, if we may judge from their protestations, will refuse to accept. Question of Mosul will only appear in the form of a clause to the effect that that section of the Turkish frontier is referred for decision to the League of Nations. Thus I think I shall have carried out my promise to the Prime Minister that if we split it will not be on that rock, either primarily or alone. As to attitude of Turks, I regard immediate or early signature by them as out of the question. But it is certain that between now and next Wednesday French and Italians will be busily at them to prevent abrupt refusal. Indeed, it is more than probable that Bompard will tell them of the tender heart of M. Poincaré and will ask them to believe that if they wait awhile its friendly pulsations will awake a corresponding beat in London and Rome and that Turkey by being patient will end by obtaining all that she desires. I anticipate, therefore, that after expressing profound disgust and indignation, Ismet will state his intention either to consult Angora or to defer his final decision. He may even try to start fresh colloquies, which, of course, my plan will defeat. We should, however, declare our willingness to meet them again for signature whenever they desire, and after all the future will be in our own hands, since His Majesty's Government, if they require me to come out again to this detestable place, can formulate the conditions on which I am to do so.

There remains, of course, the contingency that, whether Turks refuse at once or delay refusal, they may have recourse to military movements of a menacing character, which might lead to resumption of hostilities. I think that the omens on the whole are against such a course, both because the French will strain every nerve to keep them quiet, knowing that a Franco-British rupture in the East will mean the disappearance of the last shred of our toleration in the Ruhr, and because the Turks are in deadly terror of the revived Greek army, which might seize any such occasion for pushing its claims. But here, on the threshold of the region of speculation, I desist

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No. 131.

The Marquess of Crewe to the Marquess Curzon of Kedleston.—(Received January 26.)

(No. 94.) [By Bag.]
(Telegraphic.) *Paris, January 25, 1923.*

MY telegram No. 90 of yesterday.

Auguste Gauvain in "Débats" deplores policy of continued concessions to Turks, which he says Great Britain agreed to in hope of saving Mosul, and France in hope of saving her Turkish Debt bonds. Such policy is hopeless in dealing with Turks, and has merely resulted in leaving way open for selfish scheme put forward by Chester group being accepted by Turks.

Lausanne correspondent of "Débats" announces your Lordship's intention to leave Lausanne, with greater part of British delegation, on Friday, and expresses earnest hope that French delegation will not remain on there after your Lordship's departure, thereby giving Turks all sorts of illusions over which it is best to draw a veil. M. de Lacretelle declares that the Turks, by their obstinacy, have alienated all the sympathy which they had previously inspired by abusing the present difficulties

of France; drunk with military success, confident that they had defeated the Western Powers at Smyrna, and deceived by M. Franklin-Bouillon's anxiety to satisfy them, they made the glaring mistake of taking for fear what was merely unusual patience and long-suffering. Had they shown some moderation and a greater sense of realities they would have left Lausanne having inspired a feeling of general esteem, after signing an honourable peace between the East and West, whereas, by their ignorance and pride, they were now reduced to the necessity either of a rupture or a surrender, which France, at the risk of her own interests, had done everything possible to avoid.

No. 132.

Sir P. Loraine to the Marquess Curzon of Kedleston.—(Received January 26.)

(No. 25.)
(Telegraphic.) D. *Tehran, January 25, 1923.*

MY telegram No. 13.

Persian Government has sent three Allied representatives further note reiterating demand for admission to Lausanne. We replied yesterday in identic terms that we regarded its reply to our note of 3rd January as definite, and are unable, without fresh arguments, to support request for reopening a question on which inviting Powers have already pronounced themselves.

E 1007/1/44 No. 133

The Marquess Curzon of Kedleston to the Marquess of Crewe (Paris).

(No. 321.)
My Lord *Foreign Office, January 26, 1923.*

AS your Excellency will be aware from my recent telegrams to the Foreign Office, it is intended to present to the Turks and Greeks at an early date, probably at the beginning of next week, a draft treaty of peace.

2. In spite of the obstructive attitude hitherto constantly persevered in by the Turkish delegation, it is still hoped that they may agree eventually to accept the treaty and so to conclude peace, but the possibility of their refusing their signature to any treaty to which the Allies are prepared to agree cannot be excluded, and in view of this possibility it may become desirable to remind the French Government of the declaration signed at London on the 30th November, 1915, in these terms:—

* * * * *

"Les Gouvernements britannique, français, italien, japonais et russe s'engagent mutuellement à ne pas conclure de paix séparée au cours de la présente guerre.

"Les cinq Gouvernements conviennent que, lorsqu'il y aura lieu de discuter les termes de la paix, aucune des Puissances alliées ne pourra poser des conditions de paix sans accord préalable avec chacun des autres alliés.

"En foi de quoi les soussignés ont signé la présente déclaration et y ont apposé leurs cachets.

"Fait à Londres, en quintuple original, le 30 novembre 1915.

"(L.S.) E. GREY.
"(L.S.) PAUL CAMBON.
"(L.S.) IMPERIALI.
"(L.S.) K. ISVOLSKY.
"(L.S.) BENCKENDORFF."

3. Should the Lausanne Conference unfortunately not lead to the conclusion of a treaty of peace, I propose to instruct you by telegraph to recall the attention of the

* Also to Sir R. Graham, No. 151, *mutatis mutandis*.

French Government to this declaration, and to ask for its formal confirmation, so as to ensure that its terms will be strictly adhered to in regard to the only one of our common enemies in the great war with whom peace will not yet have been concluded, that is, Turkey.

4. Meanwhile, there will be no objection to your informally preparing the ground for such a representation—should it become necessary—in your conversations with M. Poincaré.

5. A similar despatch is being addressed to Sir R. Graham.

I am, &c.
CURZON OF KEDLESTON.

[E 1052/1/44] No. 134.

Memorandum by the Exchange of Populations Sub-Commission.

THE sub-commission completed the first reading through of the Allied draft agreement on exchange of populations yesterday. On the whole there was less disagreement than I expected between Turks and Greeks, but, nevertheless, several points, some of them most difficult to settle, had to be reserved for further discussion. On some of them I must ask for instructions as to my future attitude. I attach a copy of the draft for convenience of reference.

The outstanding points are as follows:—

ARTICLE 1.

The Turks at first wished to include all Greek Turkish subjects in the exchange, except, of course, those in Constantinople. This would have included a certain number of Greek Catholics. The number involved would have been small, but the French and Italians objected to the inclusion of Catholics. The Turks deferred to this objection, but said they must ask for the inclusion of all Hellenic subjects. The Greeks demurred most strongly to this, mainly, I think, on grounds of national honour, though they also maintain that certain Hellenic subjects have important interests—*e.g.*, factories in Cilicia—which they are unwilling to sacrifice. They say that even if the owners of these factories cannot return at present, they can work their factories through Turkish agents. They want Hellenic subjects to be free, at a more favourable time, to re-establish themselves in Turkey. This would be impossible if the Turks obtained the inclusion of Hellenic subjects in the exchange, as it has been agreed that Greek Turkish subjects included in the exchange are not to re-establish themselves in Turkey.

My own view is that the Greeks would do well to concede this point if they want the agreement to go through, but I understand that M. Venizelos himself feels very strongly about it. In fact, one of the Greek delegates has told me privately that M. Venizelos had said that if Hellenic subjects were not assured of the right to return to Turkey he would not sign the Peace Treaty.

ARTICLE 2.

There is still some difficulty about the definition of the Constantinople area. It has reduced itself to the question whether it is to include certain suburban villages on the Anatolia Railway, which are outside the municipal area. I have maintained that these villages should be included, but the Turks resist strongly. It may be necessary to give way or compromise on this point, which is not of the first importance.

A much more serious question arises over the definition of Western Thrace. The Allied proposal is that it should be defined as the region east of the 1913 frontier of Greece. On the 17th January the Turks claimed that it should include the area between the Struma and the 1913 frontier. The Greeks, supported by the Allied delegates, objected strongly to this. It is a try-on on the part of the Turks, but I fear they will hold strongly to their view as they wish to maintain the Moslem population in the country between the Struma and the 1913 frontier, which is rich and largely populated by Moslems. The Allied delegates have maintained that the

expression Western Thrace has only one meaning in this conference, namely, the area east of the 1913 frontier, committed in trust to the Great Powers by the Treaty of Neuilly. I think we should adhere to this view, but it is possible that the agreement as a whole may break down on this question of Western Thrace

ARTICLE 8.

The Turks wished to introduce a complicated article about Wakfs, and also to provide that property in the exchange areas belonging to institutions in the excepted areas shall be forcibly liquidated. The question of Wakfs has not yet been thoroughly thrashed out. On the other question the Allies have suggested a compromise, to which, I think, the Turks will agree in the last resort, though they are saving the point up for bargaining purposes. I do not at the moment require instructions on these points, which are rather technical.

ARTICLE 9.

The Allied draft proposed that in valuing property to be liquidated all legislation since 1912, restricting rights of property, should be disregarded. We took a formula proposed by the Turks themselves with a view to Moslem property in Greece. It seemed to us that by extending it to Turkey we should cover admirably such Turkish measures as the laws on "Abandoned Property." The Greeks, however, wished to make a reservation in favour of their own law on expropriation, which had for its object, I understand, the breaking up of large estates. They refuse to admit that this law should be disregarded for valuation purposes unless it can be shown that Moslem property was discriminated against as compared with other expropriated property, in which case they are willing that the proprietors should receive the difference between the amounts actually paid and the amounts which would have been paid had there been no such discrimination. The Turks wish the law to be disregarded altogether for purposes of valuation. There is some force in the legal standpoint taken up by the Greeks, but having regard to the manner in which the expropriation law has operated on Moslem landowners, I think the Greeks should be prepared to concede the point. The French and Italians strongly uphold the Turkish view in the sub-commission. I have also urged the Greeks to accept it. If they will not do so I fear the agreement will break down. At yesterday's meeting I said that I had given my personal opinion, which was in favour of the Turkish view, but that in view of the Greek attitude I would take the instructions of the heads of the British delegation on the point.

ARTICLE 13.

The question of modalities of settling up accounts is a very difficult one. We have arrived at a more or less satisfactory general formula, which is an amplification of the Allied draft, but one point remains outstanding, viz., the question of guarantees for the balance which will be due from one country to the other after the total property in each has been valued. It has been decided to take the financial experts into consultation on this point. The subject is highly technical, and I do not need instructions at present.

ARTICLE 18.

M. Caclamanos announced yesterday that the Greek delegation wished the agreement to be annexed to, and treated as part of, the Peace Treaty. The Turks did not object to this. I do not think it is sound from the Greek point of view, as, in my opinion, it would be better to push the present agreement through and get it ratified independently, if possible, in order that the Mixed Commission could be constituted and get started on preparatory work. This would be useful if peace is concluded, and if peace is not concluded it is pretty obvious that the agreement will never be executed anyhow. If the Turks agree to the procedure suggested by the Greeks we have no reason to demur to it, but it must be made clear to the Greeks in that case that we can give them no support in delaying signature of the separate agreement, the clauses of which have now been definitely settled, about civil hostages and exchange of prisoners of war. I have already pointed out to them privately that Lord Curzon said definitely in the full commission that he hoped this question would be disposed of independently of the question of exchange of

populations. The Turks are very keen to get the agreement about civil hostages and exchange of prisoners of war signed up. I think the Greek idea still is to sign it simultaneously with the Convention on Exchange of Populations, and then to let the ratification of the latter stand over until peace is concluded. We cannot prevent the Greeks from withholding their signature to the agreement about civil hostages and prisoners of war, but it is clear from Ismet Pasha's letter of the 15th January (to which no answer has yet been returned) that the Turks expect us to bring pressure to bear on the Greeks to sign this agreement independently as soon as possible. The question of what, if any, answer should be returned to Ismet Pasha requires consideration.

I resubmit his letter, together with an extract from minutes showing what Lord Curzon said in the full commission.

H. R

January 19, 1923.

[E 1051/1/44] **No. 135.**

Statement by Mr. Child for the American Representatives, Lausanne, Second Session, First Commission, January 23, 1923. *(Communicated by British Delegation (No. 86); Received in Foreign Office, January* 27.)

LORD CURZON has expressed the detachment from the British claim to continue as administrators of the mandate of Mesopotamia of questions pertaining to resources of the country. In the course of his remarks, he expressed also the attitude of himself and of his Government toward certain concessions in that territory in a manner clearly to indicate that the British Government would hold aloof so far as possible from making such concessions the subject of diplomatic interest, and restated his belief in the principle that large factors in the world's resources should not become the subject for monopolistic development.

The American representatives, taking no part in the territorial settlement, nevertheless are glad to associate themselves with the intent of Lord Curzon's remarks upon this subject. The American representatives have expressed their Government's policy of the open door, and Lord Curzon has stated his adherence to this policy, but neither the statement nor the adherence had reference to any particular resource or field of economic activity, and only those who wilfully perverted these declarations have read into them meanings which suit their own political ends.

The American representatives feel it their duty to refer to Lord Curzon's specific mention of the validity of the claims of the Turkish Petroleum Company, and to remind the conference that, without seeking special privilege or favour, the Government of the United States has not assented to the principle that it may be disassociated in the rights of peace from the usual consequence of association in war, nor in other cases where another principle is involved will it abandon the policy of the open door. We refer to a substantial correspondence by our Government already accumulated under two successive political Administrations in the United States.

So far as means to furnish protection to legitimate American interests is at their hands, it does not affect the duty of the American representatives whether the identity of the American rights is associated with a commercial or any other American interest. For this reason the mention by Lord Curzon of a certain corporation and its claims is one giving the American representatives appropriate opportunity to suggest that where there are conflicting claims already in existence in respect to legal rights to resources there should be provided a means for a juridical settlement of these rights which would give full and complete assurance of impartiality. Such impartiality cannot be provided for specifically in advance. Under a general principle, the interested parties should be satisfied as to the impartiality of the juridical determination at the time of the reference of the conflicting claims.

No. 136

The Marquess Curzon of Kedleston to Mr. Lindsay.—(Received January 27.)

(No. 240.)
(Telegraphic.) R. *Lausanne, January 27, 1923.*

THIS morning were held meetings of my commission to receive final reports of Sub-Committees on Exchange of Prisoners of War, Exchange of Populations, and War Graves, and later on of Marquis Garroni's Commission to receive reports of Sub-Committees on Judicial and Economic Régimes, Nationalities, and Antiquities.

Two draft agreements had been concluded between Greeks and Turks relating to double exchange above referred to, and Signor Montagna, the chairman, deserves much credit for successful result of his labours. With regard to exchange of Greek and Turkish populations on a compulsory basis, I repeated my expression of profound regret that this principle, which would produce much suffering in its operation, had been adopted by both parties, but hoped that it would be compensated by removal of deep-rooted causes of quarrel between them and greater future homogeneity of populations. These agreements will be signed early next week.

As to prisoners of war, we insisted on a proviso to guard against release without due punishment of murderers of Allied, *i.e.*, British, soldiers and sailors since 20th November, 1922.

A rather heated debate then ensued on war graves, in which I absolutely declined to yield to Turkish contentions in respect of two points named in my telegram No. 230. I insisted on outrage to general sentiments of piety and humanity, and particularly to feelings of British, Australian and New Zealand soldiers, in proposed restrictions, and said that we could not withdraw our forces from Gallipoli until this question was satisfactorily settled. Ismet missed opportunity of making a concession that would have cost him nothing and indulged instead in usual display of mingled stubbornness and stupidity. Papers will report debate, which will produce a lamentable impression upon public opinion in England and Dominions, and will confirm belief that Angora Turks are really outside the pale.

Marquis Garroni explained Allied proposals about judicial régime, but Turks, who had not yet received text, refrained from commenting upon them. On the subject of antiquities I impressed upon Turks desirability of returning to Medina relics and treasures which their army had snatched from tomb of the Prophet and carried off to Constantinople in 1917. My appeal, properly advertised, should awaken much sympathy in Moslem world, notably in India. But it failed to move stony impassivity of Turks, and meeting did little but confirm their already too painfully familiar psychology.

No. 137

The Marquess Curzon of Kedleston to Mr Henderson (Constantinople.)

(No 23.)
(Telegraphic.) D. *Foreign Office, January 27, 1923*

YOUR despatch No. 17 of the 7th January: Sale of gold in deposit with Ottoman Bank to pay off advances made to Constantinople Government and Provisional Financial Commission respectively.

You should concert with your colleagues in joint request to the Imperial Ottoman Bank to sell a sufficient portion of the remaining balance of the £T. 252,000 in deposit to pay the Ottoman Public Debt:—

(*a.*) £T. 946,770, the balance due on advance made to the Constantinople Government

(*b.*) £T. 87,635, in respect of advance made to meet expenditure of Provisional Financial Commission during period of its existence.

It is understood that your colleagues are receiving similar instructions.

No. 138.

The Marquess Curzon of Kedleston to Mr. Henderson (Constantinople)

(No. 24.)
(Telegraphic.) D. *Foreign Office, January 27, 1923.*

YOUR telegram No. 24 of 22nd January: Disposal of funds seized in 1919.

Silver marks and gold francs should be removed out of reach of requisitions, and you should therefore join your colleagues and arrange with the Imperial Ottoman Bank for shipment of these funds in manner you propose to the Paris branch of the Imperial Ottoman Bank

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No. 139

Mr. Lindsay to the Marquess Curzon of Kedleston (Lausanne).

(No. 149.)
(Telegraphic.) *Foreign Office, January 27, 1923.*

FOLLOWING from Lord Balfour:—

"I gather from your letter sent by Young that what you principally desire is that at the earliest possible moment I should make a public declaration that, in the event of no arrangement being come to at Lausanne about the Irak frontier, the British Government will formally require the League to take action under article 11. This seems to me an admirable scheme, and I will do my best to carry it out. But it has the defect of being purely hypothetical. No substantive action can be taken unless and until the Turks finally refuse an arrangement. I am not sure that the procedure of the council easily lends itself to action of this sort; but I have little doubt that with Drummond's help I shall be able to manage it. I fully appreciate undesirability of giving impression that Mosul is the only or even the main obstacle to the conclusion of peace. Do you see any objection to my referring to Turkish obduracy on other questions, and stating that the reason for my calling the council's attention to the Irak frontier question at this stage is because the Turks have already refused the good offices of the League, and there is no indication that on this point they are prepared to change their policy?

"Please send your reply viâ Embassy, Paris."

[E 1050/1/44] No. 140.

The Marquess Curzon of Kedleston to the Secretary-General, League of Nations.—(Communicated by British Delegation (No. 85); Received in Foreign Office, January 27.)

Lausanne, January 25, 1923.

Sir,

I DESIRE, in exercise of the friendly right conferred by article 11 of the covenant of the League of Nations, to bring to the attention of the forthcoming meeting of the Council of the League the case of the disputed frontier between the Turkish dominions in Asia Minor and the mandated territory of Irak. At a meeting on the 23rd January of the conference now being held at Lausanne, I stated publicly my intention on behalf of the British Government to refer this case to the League of Nations as a matter affecting international relations, which unfortunately threatens to disturb international peace and the good understanding between nations upon which peace depends.

I beg you to be good enough to enter this subject upon the agenda paper of the Paris meeting of the council, when it will be more fully explained by the representative of His Majesty's Government.

I am, &c.
CURZON OF KEDLESTON.

No. 141.

ECONOMIC AND FINANCIAL COMMISSION.

Minutes of the Third Meeting, December 8, 1922, at 3 P.M., under the presidency of M. Barrère.

Present:

BRITISH EMPIRE.
Sir Horace Rumbold.

FRANCE.
M. Barrère.
M. Bompard.

ITALY
Marquis Garroni.
M. Montagna.

UNITED STATES OF AMERICA.
Mr. Child.
Admiral Bristol.
Mr. Grew.

JAPAN.
Baron Hayashi.
Mr. Otchiai.

GREECE.
M. Caclamanos.

ROUMANIA.
M. Contzesco.

KINGDOM OF THE SERBS, CROATS AND SLOVENES.
M. Rukitch.

TURKEY.
Ismet Pasha.
Riza Nour Bey.

Also present:

BRITISH EMPIRE.
Mr. Fountain.
Mr. Waley.

FRANCE.
M. Bargeton.
M. Leverve.
M. de Lacroix.
M. Sanguinetti.

ITALY.
M. Nogara
M. Arlotta.
M. Guariglia.

UNITED STATES OF AMERICA
Mr. Heck.
Mr. Dwight.

JAPAN
Mr. Sato
Mr. Ito

GREECE.
General Mazarakis.

KINGDOM OF THE SERBS, CROATS AND SLOVENES.
M. Djouritch

TURKEY.
Moukhtar Bey.

M. Massigli, *Secretary-General of the Conference.*

Secretaries.

BRITISH EMPIRE.
Mr. Spring Rice.
Mr. Rendell

FRANCE.
M. Lagarde.

GREECE
M. Politis

ITALY.
M. Indelli.

JAPAN
Mr. Hotta.

TURKEY.
Rechid Safvet Bey.

Interpreter M. Camerlynck.

M. BARRÈRE said that he had learnt with much satisfaction that the Sub-Commission on Communications and Transport had come to a rapid conclusion of its work.

At his request,

MR. FOUNTAIN, president of the sub-commission in question, read the draft articles for insertion in the treaty of peace respecting transport and communications (see Annex).

Articles 1 to 11 were adopted.

In regard to article 12, ISMET PASHA said that he agreed with its technical import, but that this article also had a political character, and in this respect was certainly beyond the competence of the sub-commission. He desired that this defect might be remedied by substituting the following formula for the text proposed:

"Turkey renounces all her rights over the whole or part of the cables, the two extremities of which are situated on territory detached from the Ottoman Empire and outside Turkey."

He considered it desirable to reserve the rights of Turkish nationals, with a view to enabling them eventually to approach the new proprietors of these cables as regards private claims in respect of the value of the cables and of the counter-value which the concession itself might represent.

He further made some remarks in regard to the reckoning of the value of these cables on the basis of their original cost. He thought that this basis could not serve as a criterion for estimating their present value.

M. BARRÈRE observed that in redrafting this article account should be taken of the original text to a greater extent than was done in the Turkish draft. He proposed to refer the article back to the sub-commission for amendment.

MARQUIS GARRONI asked that the sub-commission should also re-examine article 13, in respect of which the Italian delegation wished to propose a new draft.

In connection with article 14, ISMET PASHA proposed to make the following addition at the end:—

"Turkey, however, reserves the right to regulate freely her aerial relations with the States which are not signatories of the above-mentioned convention of the 13th October, 1919."

At the request of the president, Ismet Pasha agreed that this addition should be referred to the sub-commission simultaneously with the modification which he demanded in article 12.

M. BARRÈRE said that the three articles would be referred back to the sub-commission, which would meet at 6 P.M. He noted that the draft articles laid before the commission were adopted, except as regards the reservations which had just been made.

He then spoke as follows:—

"The draft clauses which you have adopted lay down the general rules applicable to ports, waterways and railways; to railways across which the new frontiers cut; to the hydraulic system; to postal, telegraphic and telephonic communications; and finally, to aerial navigation.

"These clauses record, in particular, the desire of Turkey to adhere to the great international conventions by which most States are bound in these matters, namely, the Conventions of Barcelona and Berne; postal and telegraphic conventions; and the convention on aerial navigation.

"Indeed, this draft regulates a whole series of technical questions; and you know, gentlemen, what a great part these questions play in the economic life of modern times.

"We must therefore congratulate ourselves on having thus been able to complete an important chapter of the treaty which we have to prepare.

"This success is certainly due to the spirit of justice and conciliation shown by all the delegations, and especially to the good-will of the Turkish delegation. I feel it my duty to take note of this on your behalf, and I have no doubt that we shall find the same good dispositions in dealing with the other questions which still require to be settled by us.

"I shall surely interpret your feelings when I congratulate the Sub-Commission on Communications and Transport, and the committee of experts who prepared the draft, on the excellent work which they have accomplished so quickly.

"In conclusion, I propose that you ask our legal advisers kindly to go through the form of verifying the clauses which you have adopted, solely with a view to their embodiment in the treaty."

M. Barrère added that he had been struck by the quickness and ability displayed by the sub-commission in settling these very difficult questions. He was happy to think that this sub-commission had been the first to produce a concrete and complete piece of work. He hoped that this example would be followed by others. He wished in particular to congratulate the president of the sub-commission, Mr. Fountain, whose ability had so greatly contributed to the success of its work.

(*The commission rose at* 3:30 P.M.)

ANNEX.

Report of the Sub-Commission on Communications and Transport.

THE Second Sub-Commission of the Third Commission has examined the questions concerning communications and transport which were referred to it.

The sub-commission has unanimously agreed upon the following articles, which are designed to lay down the general rules applicable to the following matters:—

Régime of transit, ports, waterways and railways, hydraulic system, posts and telegraphs, submarine cables, aerial navigation.

On behalf of the sub-commission,
H. FOUNTAIN.

December 7, 1922.

SUB-ANNEX.

Transit, Waterways and Ports.

ARTICLE 1.

Turkey undertakes to adhere to the statute respecting the freedom of transit adopted by the Conference of Barcelona on the 14th April, 1921, and to the statute respecting the régime for waterways of international interest adopted by the Conference of Barcelona on the 19th April, 1921, and to the supplementary protocol.

Turkey accordingly undertakes to bring into force the provisions of these statutes and protocols as from the entry into force of the present treaty.

ARTICLE 2.

Turkey undertakes to adhere to the declaration made at Barcelona in April 1921, recognising the rights of the flag of States not possessing an access to the sea.

ARTICLE 3.

Turkey adheres to the recommendations respecting ports placed under an international régime, drawn up at the Conference of Barcelona in April 1921. She will subsequently make known those ports which will be placed under that régime.

Railways.

ARTICLE 4

Turkey undertakes to adhere to the recommendations respecting international railways, drawn up at the Conference of Barcelona in April 1921. She agrees to bring these recommendations into force on the coming into force of the present treaty and subject to reciprocity.

ARTICLE 5.

From the coming into force of the present treaty, Turkey agrees to subscribe to the conventions and arrangements signed at Berne on the 14th October, 1890, the 20th September, 1893, the 16th July, 1895, the 16th June, 1898, and the 19th September, 1906, regarding the transportation of goods by rail.

ARTICLE 6.

When, as a result of the fixing of new frontiers, a railway connection between two parts of the same country crosses another country, or a branch line from one country has its terminus in another, the conditions of working, in so far as concerns the traffic between the two countries, shall be laid down in a convention concluded between the railway administrations concerned. If these administrations cannot come to an agreement as to the terms of such convention, the disagreement shall be settled by arbitration.

The establishment of all new frontier stations between Turkey and the neighbouring States, and the working of the lines between those stations, shall be settled by agreements similarly concluded.

ARTICLE 7.

Subject to any special provisions concerning the transfer of ports and railways, whether owned by the Ottoman Government or private companies, situated in the territories detached from the Ottoman Empire under the present treaty, and also subject to the financial conditions relating to the concessionnaires and the pensioning of the personnel, the transfer of railways will take place under the following conditions:—

1. The works and installations of all the railroads shall be left complete and in as good condition as possible.
2. When a railway system possessing its own rolling-stock is situated in its entirety in transferred territory, such stock shall be left complete with the railway, in accordance with the last inventory before the 30th October, 1918.
3. As regards lines, the administration of which will in virtue of the present treaty be divided, the distribution of the rolling-stock shall be decided by agreement between the administrations taking over the several sections thereof. This agreement shall have regard to the amount of the material registered on those lines in the last inventory before the 30th October, 1918, the length of the track (sidings included), and the nature and amount of the traffic. Failing agreement, the points in dispute shall be settled by an arbitrator. This arbitrator shall also if necessary specify the locomotives, carriages and waggons to be left on each section, the conditions of their acceptance and such provisional arrangements as he may judge necessary to ensure for a limited period the current maintenance in existing workshops of the transferred stock.
4. Stocks of stores, fittings and plant shall be left under the same conditions as the rolling-stock.

Hydraulic System.

ARTICLE 8.

In default of any provision to the contrary, when as the result of the fixing of a new frontier the hydraulic system (canalisation, inundation, irrigation, drainage or similar matters) in a State is dependent on works executed within the territory of another State, or when use is made on the territory of a State, in virtue of pre-war usage, of water or hydraulic power the source of which is on the territory of another State, an agreement shall be made between the States concerned to safeguard the interests and rights acquired by each of them.

Failing an agreement, the matter shall be regulated by arbitration.

Posts and Telegraphs.

ARTICLE 9.

From the coming into force of the present treaty, the high contracting parties shall bring into force again the conventions and arrangements named below, in so far as they are concerned therein :—

Postal Conventions

Conventions and agreements of the Universal Postal Union signed at Vienna on the 4th July, 1891.
Conventions and agreements of the Postal Union signed at Washington on the 15th June, 1897.
Conventions and agreements of the Postal Union signed at Rome on the 26th May, 1906.
Conventions and agreements of the Postal Union signed at Madrid on the 30th November, 1920.

Telegraphic Conventions :—

International telegraphic conventions signed at St. Petersburg on the 10th 22nd July, 1875.
Regulations and tariffs drawn up by the International Telegraphic Conference at Lisbon on the 11th June, 1908.

ARTICLE 10.

From the coming into force of the present treaty the high contracting parties shall re-establish, in so far as they are concerned, the International Radiotelegraphic Convention of the 5th July, 1912.

Submarine Cables.

ARTICLE 11.

Roumania and Turkey will come to an agreement in regard to fixing the working conditions of the Constanza–Constantinople cable, taking account of the interests of both parties. Failing agreement, the matter shall be settled by arbitration.

ARTICLE 12.

Turkey renounces on her own behalf and on behalf of her nationals, in favour of the principal Allied Powers, all rights, titles or privileges of every kind over the whole or part of the Jeddah–Suakim and Cyprus–Latakia cables.

If the cables or portions thereof transferred under the preceding paragraph are privately owned, their value, reckoned on the basis of the original cost minus a reduction in respect of depreciation, shall be placed to the credit of Turkey.

ARTICLE 13.

Turkey will retain the rights of property which she may already possess over those cables of which at least one end remains in Turkish territory. The working conditions shall be settled by an agreement between the States which own the two ends of the cables.

ARTICLE 14

Turkey declares herself willing to adhere to the convention of the 13th October, 1919, regulating aerial navigation and to accept in consequence all the principles and rules laid down in the said convention. The Allied Powers take note of this declaration and undertake to give their support to Turkey with a view to obtaining as soon as possible her admission to take part in the convention.

[E 1030/4/44] No. 142.

M. Mélas to Mr. Oliphant.—(*Received January 28.*)

Dear Mr. Oliphant, *Greek Legation, London, January 25, 1923.*

I BEG to enclose herewith copy of a report received from Athens giving a general summary of the present situation of the refugees in Greece, which I thought might be of interest to you.

I have also supplied Major-General Sir James Marshall Stewart, K.C.M.G., with these details, in order that he may be acquainted with the exact position upon reaching Greece.

Yours, &c.
GEORGE V. MELAS.

Enclosure in No. 142.

Report received from Athens on the Refugee Situation in Greece.

THE number of refugees, including those now on their way to Greece, amounts to 950,000, of which 650,000 come from Asia Minor, 300,000 from Thrace, and over 50,000 from the Pontus are now being transported. About 100,000 of the total number of these are Armenians, Circassians, Mussulmans and others. The percentage of valid men, as compared with old men and women and children, varies from 15–20 per cent., the majority of the valid men having been deported by the Turks to Asia Minor. The refugees are distributed all over the kingdom in every place where it was possible to find shelter for them, viz., schools, churches, convents, watering-places, &c. The Government, which has had to incur most of the expenditure for their transport, shelter, indemnisation for property requisitioned, has also fixed an allowance of 2 drachmas daily to each refugee. The effective expenditure amounts to several hundreds of million drachmas. The Greek philanthropic institutions, as well as all Greek colonies abroad, have contributed very largely towards covering this expenditure.

The American Red Cross has supplied up to date 9,000 tons of flour and considerable quantities of other foodstuffs, clothing, blankets, medicaments, &c. They are, moreover, organising very important assistance.

The Near East Relief is organising orphanages for 12,000 orphans, more than 9,000 Greek and Armenian orphans having already arrived.

The British Committee is running several camps, and has already despatched two trains consisting of many wagons of foodstuffs, medicaments, clothing, &c

The "Save the Children Fund" supplies food to 16,000 children and adults.

The National Red Cross has concentrated and used the donations of the Dutch, Swedish and Belgian Red Cross.

The League of Nations is establishing a hospital at Gumuldjina, and has supplied a credit of 3,500*l.* for the purchase of ambulances, shower-baths, &c.

The Commissary of Epidemics has despatched quantities of vaccine.

However considerable all the above local and foreign assistance may be, it is hardly adequate to cope with the problem which the unprecedented and overwhelming material and moral misery of these multitudes has created.

Only about 100 Christian families have remained in Thrace, over 200,000 in Constantinople, and, according to American information, about 150,000 to 200,000 in Asia Minor. All these populations are moving towards the sea. In Syria and the Pontus over 50,000 people are awaiting transport

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[E 1089/1/44] No. 143.

Lausanne Conference on Near Eastern Affairs.

(Strictly Confidential.)

ECONOMIC AND FINANCIAL COMMISSION.

Draft Minutes of the Fourth Meeting, January 13, 1923, at 4 P.M., under the presidency of M. Bompard.—(Received at Foreign Office, January 29.)

Present:

BRITISH EMPIRE.	FRANCE.	ITALY.
The Marquess Curzon of Kedleston. Sir Horace Rumbold.	M. Bompard.	Marquis Garroni. M. Montagna.
UNITED STATES OF AMERICA.	**JAPAN.**	**GREECE.**
Mr. Child. Admiral Bristol. Mr. Grew.	Baron Hayashi. Mr. Otchiai.	M. Veniselos. M. Caclamanos.
ROUMANIA.	**SERB-CROAT-SLOVENE STATE.**	**TURKEY.**
M. Diamandy.	M. Rakitch.	Ismet Pasha. Riza Nour Bey. Hassan Bey.
BELGIUM.	**ALBANIA.**	
Baron Moncheur. M. Bette.	M. Frasheri. M. Blinichti.	

Also present:

BRITISH EMPIRE.	FRANCE.	ITALY.
Sir A. Block. Mr. Ryan. Dr. Clemow. Mr. Nicolson. Mr. Forbes Adam. Mr. Leeper. Mr. McClure. Major Young.	M. Serruys. M. des Closières. M. de Lacroix. M. de Percin. M. Barois. M. Sanguinetti. M. Bargeton. M. Bexon. Lt.-Col. Courtin.	M. Arlotta. M. Nogara. M. Polverelli.
UNITED STATES OF AMERICA.	**JAPAN.**	**GREECE.**
Mr. Dwight. Mr. Amory. Mr. Heck. Mr. Gillespie.	Mr. Sato. Mr. Koshida.	M. Michalopoulos. M. Dendramis. M. Politis M Drossopoulos.
ROUMANIA.	**SERB-CROAT-SLOVENE STATE.**	**TURKEY.**
M. Contzesco.	M. Antitch.	Moukhtar Bey. Munir Bey.

Secretary-General of the Conference: M. Massigli.

Secretaries.

BRITISH EMPIRE.	FRANCE.	ITALY.
Mr. Spring-Rice. Mr. Wicks.	M. Lagarde.	M. Guarnaschelli. M. Zanchi.
UNITED STATES OF AMERICA.	**JAPAN.**	**GREECE.**
Mr. Belin.	Mr. Hotta.	M. Collas.
SERB-CROAT-SLOVENE STATE.	**TURKEY.**	**BELGIUM.**
M. Milanovitch.	Rechid Safvet Bey.	M. Paternotte.

Interpreter: M. Camerlynck.

M. BOMPARD conveyed to the conference the apologies of M. Barrère, who was temporarily indisposed, and had asked M. Bompard to take the chair at the present meeting in order not to delay the work of the commission.

Clauses 12, 13 and 14 respecting Communications and Transport.

M. BOMPARD laid before the commission a report from the Sub-Commission on Communications and Transport (Annex A) concerning these clauses.

Clauses 12 and 13 were adopted.

M. Bompard stated that further negotiations were in progress on the subject of clause 14, and that it would be well to await the result of them before taking a decision.

Financial Clauses.

The commission had before it the report presented by M. Bompard on behalf of the Financial Sub-Commission (Annex B).

Distribution of the Ottoman Debt.

ISMET PASHA said that the Turkish delegation had examined the report of the president of the first sub-commission with the greatest care. They noted with satisfaction the eminently just decision which had been taken unanimously in regard to the apportionment of the Ottoman Debt among all the territories which had formed part of the former Ottoman Empire. Nevertheless, the ideas set forth in the report regarding the method of dividing up the debt did not exactly correspond with the ideas of the Turkish delegation on the matter, and they therefore felt bound to state the following considerations with a view to defining their attitude:—

There was a wide divergence of view between the Turkish and Allied delegations respecting the total of the debt to be divided up. The Turkish delegation held that the total amount of the Ottoman Debt which should be distributed among the succession States of the Ottoman Empire ought to be the total debt which existed on the 30th October, 1918. They were convinced that their request was entirely consonant with justice and equity, for the following reasons:—

(*a.*) The debt to be divided up was not a debt the payment of which was demanded of the Allied Powers; it was, on the contrary, a debt contracted by all the various parts of the Ottoman Empire, at a time when they had a common existence, for the purpose of meeting their financial needs. It was, consequently, quite natural that each part of the Ottoman Empire should take over its due share of that debt.

(*b.*) Even if it were argued that part of the debt in question was contracted during the war, the Turkish point of view would still be correct; for the portions of the Ottoman Empire now detached from Turkey had not ceased to take part in the Government of the empire through constitutional agencies until the armistice of 1918. The principle of peoples being responsible for the actions of their Governments was one which had constantly been brought forward in recent years; and it was therefore quite natural that the populations of all the territories which formerly constituted the Ottoman Empire should take their share of all the expenses of their common existence up to 1918.

(c.) Similarly, if one ought to take into account what was called "responsibility for war" (as was stated in the report), it would be altogether unjust and unfair to maintain that that responsibility should be borne by Turkey alone, which constituted only one of the component parts of the Ottoman Empire.

It followed that all the territories detached from the Ottoman Empire were naturally bound to assume a portion of that Empire's debt. It was likewise clear that the objections of the Allied Powers on the subject were quite unfounded.

For all these reasons the Turkish delegation were compelled to state that the distribution of all the debts included in the table which they had the honour to submit constituted a vital point which they could neither withdraw nor modify.

M. BOMPARD said that the Turkish proposal amounted in practice to adding two items to the table prepared by the Allied delegations: the internal loan (£T. 18,000,000) and the paper currency issued by the State during the war (£T. 150,000,000 to £T. 170,000,000).

In this connection M. Bompard wished to observe that, while these two items were expressed in terms of Turkish pounds paper, the Turkish delegation had added them up in their table together with other loans expressed in Turkish pounds gold.

The question before the commission was whether the debt to be distributed should comprise the debt contracted by the Turkish Government during the war. The Allied Governments in drawing up their table had adhered to the generally established custom—namely, to exclude war debts, which should be borne solely by the State responsible for the war.

The Turkish delegation stated that the detached territories should bear their share of war expenditure because they had taken part in the war, having been at the time integral parts of the Ottoman Empire. As a matter of fact, these territories had taken part in the war in exactly the same way as Croatia and Slovenia—*i.e.*, countries which had taken part in the war on the side of Austria against their will and had for that very reason been exempted from any contribution to Austria's war expenditure.

Altogether, it seemed difficult to admit that issues of paper currency should constitute a debt of the State, since the latter was not bound to pay interest on it.

ISMET PASHA said that he had taken M. Bompard's arguments into account, as they had already been laid before the Financial Sub-Commission. In his opinion, justice required that the whole Ottoman Empire, as it existed at the time of the armistice, should take part in the total burdens borne by the Empire at that date.

M. BOMPARD said that the Allied Governments maintained their point of view on this question in its entirety.

LORD CURZON wished to associate himself entirely on behalf of the British delegation with the position taken up by M. Bompard. He had not had the advantage of assisting at the meetings of the sub-commission, and therefore was not as familiar as other delegates present with the arguments which had been employed, but upon the general principle at issue he could not conceive that there could be any doubt. As M. Bompard had remarked, it was entirely in accordance with justice and with all precedents that the date from which the repartition of the debt was to be reckoned should be the beginning of the war. He was astonished that anyone should dispute that self-evident proposition. The Turkish delegation had actually proposed to throw upon the territories which had voluntarily separated themselves from the Ottoman Empire the burden of all the war—a war in which they had little sympathy and had not taken a notable part. How could such a proposal be sustained consistently with equity? One of the arguments advanced by Ismet Pasha was that there was a difference between the Ottoman Government of 1914 and the present Angora Government, and that, since the war was declared and carried on by the former, the latter were not responsible. That was a very dangerous argument for the Turkish delegation to employ, since it could be used against them quite as often as in their favour. He much regretted to see them take up such an intransigent attitude on this matter, for while in some questions laid before the conference the arguments balanced each other, that was not so in the present instance. The Turkish delegation would never succeed in sustaining their case before any tribunal of public opinion.

The delegates were now approaching a stage at which it was their duty to finish; he was therefore very sorry when he saw any delegation—whether Turkish or Allied—

put an unnecessary stone in the path. This was what had just been done. He must therefore most earnestly ask the Turkish delegation to consider whether the point now at issue was one upon which they could with any chance of justifying their case reject (as they were apparently disposed to do) the most equitable and reasonable proposals put before them by the Allies.

MARQUIS GARRONI associated himself, on behalf of the Italian delegation, with the remarks of Lord Curzon and M. Bompard. The question had already been discussed at the sub-commission, and the arguments in favour of the Allied case which had just been summed up did not admit of any controversy.

ISMET PASHA said that the distribution of the Ottoman Public Debt was one of the most important financial questions requiring settlement. He was astonished that the daily sacrifices made by the Turkish delegation did not convince the other delegations that Turkey had reached the limit of concession. Nevertheless every day fresh sacrifices were being demanded of them. Syria, Mesopotamia and the other detached countries were not willing to assume their share of the debt contracted for the purpose of the common prosecution of a war common to them all. Those countries wished to cause all the war expenditure to be borne by Turkey, who was poor in resources and impoverished by the war. The proposal of the Turkish delegation was equitable, and would be approved by the public opinion of the world. Ismet Pasha therefore asked the inviting Powers to examine the question in a spirit of equity, and to be so good as to decide that Turkey's whole debt at the time of the armistice of Moudros should be distributed among all the succession States of the Ottoman Empire. He further asked that the Financial Sub-Commission should be requested to examine the matter afresh.

M. BOMPARD said that it would be for the commission to decide whether this proposal should be accepted.

Railway Loans.

M. VENISELOS laid before the commission a note containing the remarks of the Greek delegation in regard to the inclusion of railway loans in the table (Annex C).

He held that there was no difference between the payment of a kilometric guarantee and the service of a loan, because both were charges assumed by the State for the construction or working of railways. The case of the Salonica Junction line deserved special consideration, inasmuch as the Greek Government had in 1919 proceeded to buy the line in response to an urgent request from the French Government. The Greek Government had at that time agreed to reimburse the share capital of the company and to undertake to pay the interest on the debentures which had been issued. Further, the Greek Government had assumed the responsibility for the payment of the kilometric guarantee which the Ottoman Government had undertaken by the concession contract to place at the disposal of the company. Article 9 of the convention concluded between the Greek Government and the company in 1920 contained the engagement whereby the Greek Government undertook to pay the interest on the debentures issued by the company. It ran as follows:—

> "In order to replace the security assigned by the Ottoman Government for the (kilometric) guarantee of the line, the Greek Government agrees to assign to the payment of the interest of the debentures issued by the company the surpluses of the revenues administered by the international commission at Athens. This assignment shall rank immediately after the assignment already agreed to by the Greek Government arising from the said revenues.
>
> "In accordance with the preceding articles, the Greek Government shall notify the provisions of this article to the international commission."

It would not be right that the purchase of this line, which had been undertaken with a view to safeguarding French interests otherwise compromised, should react to the disadvantage of the Greeks. If this purchase had not been carried out, the service of the kilometric guarantee would still remain due by Turkey and ought to have been distributed as a State liability. The fact that Greece had assumed a charge of this kind must not be allowed to do her injury. The Allied Powers could not reproach Greece for having acted as she did; besides, even if Greece had made the purchase herself solely in order to give satisfaction to the bondholders, she would be justified in claiming that part of the burden thus assumed by her should be distributed on the same basis as the whole of the Ottoman Public Debt. For this reason the Greek

delegation urgently requested that all charges connected with railways should either be divided up among all the succession States, or else be excluded from the table. They were so firmly convinced of the soundness of their argument that they were quite ready, with a view to facilitating agreement among the delegations, to have the question referred to arbitration by the Permanent Court of International Justice at The Hague.

M. FRASHERI wished to state that the Albanian delegation had never asked that the railway loans, representing a sum of £ T. 38,000,000, should be excluded from the debt to be distributed; he had only asked that a special method of distribution should be adopted in the case of this special debt. He had no desire either to compromise the interests of the holders of railway loans or to impose on Turkey a burden which should not fairly fall upon her. The demand of his delegation was that there should be a special distribution in the case of railway loans, in proportion to the length of the railways covered by the loans. It was not quite correct to state that this was a debt, since the Turkish railway system was based on the principle of kilometric guarantees. Railway loans could not be regarded as having the same value as the ordinary receipts of the Ottoman Treasury, which had only acted as an intermediary for collecting funds with one hand in order to assign them immediately to the construction of railway lines. The liability imposed on the Treasury for the service of the kilometric guarantees varied in proportion with the economic yield of the diffi-rent railway systems; thus, at the end of six years the receipts of the Salonica–Monastir Railway had been sufficient to enable the company to ensure the whole service of its debentures without resorting to the guarantee which Turkey had undertaken.

On the other hand the Dedeagatch–Salonica Railway, which was a system more strategical than commercial in character, had always had to resort to the guarantee uninterruptedly.

As regards the Bagdad Railway, the Ottoman State had undertaken a two-fold guarantee: firstly, that of the service of the loans, and secondly, that of an adequate return on the working of the line.

In point of fact, the Bagdad Railway had not brought receipts into the Ottoman Treasury any more than the loans issued directly by the railway companies. On the other hand, whether the funds had been provided by the State or by the companies, the charges assumed by the Turkish Treasury were identical in all cases.

For these reasons the Albanian delegation asked that the charges undertaken by the Ottoman Government for the purpose of constructing and working railways should be borne solely by those States across whose territory the lines run. Albania had a special interest in taking advantage of this principle, because there was not a single kilometre of railway within her territory. In this manner none of the succession States would be injured.

In the event of the Albanian proposal not being adopted, M. Frasheri agreed to the question being referred to The Hague Court.

ISMET PASHA said that the Turkish delegation adhered to their position. They reserved the right to reply later on in regard to the new proposal to submit the matter to arbitration.

SIR H. RUMBOLD concurred in the proposal of M. Veniselos and the Albanian delegation on condition that recourse should be had to arbitration on this question only.

MARQUIS GARRONI and M. BOMPARD adopted Sir H. Rumbold's proposal on the same condition

Assumption of Shares of Debt and Payment of Coupons in Arrear.

M. BOMPARD explained that the Allied Powers, wishing to effect a compromise had fixed the 1st March, 1920, as the date from which the detached territories would become liable for the payment of the annuities. The Powers were willing to take into consideration the fact that a long period had elapsed since the signature of the armistice of Mudros, and had therefore departed from the general rule that the payment of annuities should only be incumbent on States among which a debt is distributed as from the coming into force of the Treaty of Peace.

HASSAN BEY considered that, in deciding the date as from which the payment of annuities should devolve on each of the succession States of the Ottoman Empire, one should be guided by the following considerations:—

In fixing the shares of the Balkan States, one should take into account the date of the treaties which put an end to war between the Ottoman Empire and the States in whose favour territorial concessions had been made.

As regards the shares of debt devolving on territories which were to be detached by the treaty now under consideration, the armistice of Mudros—which fixed the *de facto* separation of these territories from the Ottoman Empire - had been taken as the starting point, and it was necessarily incumbent upon those countries to pay the annuities due in respect of them since the conclusion of that armistice.

If it were admitted that the territories detached from the Ottoman Empire in consequence of the great war should (like the territories annexed by the Balkan States) pay the annuities due from them as from the signature of the treaty now under negotiation, it must also be admitted that these territories should take over their share of all the debts contracted up to the time when the treaty was concluded. They should, moreover, be obliged to assume all the charges devolving upon Turkey up to that date; and under this theory the consequence would be that the position of these territories, so far from being rendered easier, would become worse. The Turkish delegation considered that the *de facto* separation of the detached territories was sufficient to justify the distribution of the duties and liabilities which these territories might have had towards the Ottoman Empire; they had therefore consented to take the armistice of 1918 as the date from which to assign to these territories their share in the debts of the Empire. In consequence it became obligatory for the detached territories to pay as from that date the annuities of the debts devolving upon them.

As regards the coupons in arrear, the annuities which were due from Turkish territories transferred to the Balkan States, and had been paid on account for these States by the Ottoman Empire from 1912 to 1918, should be refunded by the Balkan States; and when the total amount of these coupons had been recovered from them, it should be placed by the administration of the Public Debt to Turkey's credit and employed as sinking fund for Turkey's own debt. As regards the unpaid coupons subsequent to 1918, the States concerned in whose favour Turkish territory had been detached should, like Turkey herself, assume a share proportionate to their share of the debt and pay the coupons which had remained unpaid since 1918.

These States should come to terms with the administration of the Public Debt with a view to devising a scheme whereby these coupons would be paid off in twenty years, without interest and by equal instalments.

M. BOMPARD observed that the Turkish delegation apparently took no account of the fact that the detached territories had been severed from Turkey in consequence of the war and not during a period of peace.

HASSAN BEY said that the Ottoman Public Debt had since 1918 been deprived of the resources appertaining to it from the detached countries. Either these resources must be placed at the disposal of the Public Debt, in which case the latter would agree to pay the arrears of coupons since the Mudros armistice, or else these resources would not be restored and the Public Debt would not pay the arrears of coupons. It was impossible to impose so heavy a burden on Turkey alone.

ISMET PASHA said that the war had entailed most grievous sacrifices for Turkey. She had been at war for over eight years, and so her position could not be compared with that of the other Powers; she had endured far greater suffering than the other Powers, and considered herself entitled to particularly equitable treatment. In Ismet Pasha's opinion this question was not simply within the province of the technical experts, and should, above all, be examined in a spirit of equity.

M. BOMPARD said that equity had been the guiding spirit of the Powers, and had caused them to frame their proposal for a compromise. They had displayed especial benevolence towards Turkey by sacrificing a period of fifteen months.

ISMET PASHA said that the Turkish delegation always asked for the minimum. They therefore appealed to the delegations' sense of equity, with a view to the acceptance of their demand.

Reconstitution of the Tripoli Reserve Fund.

M. BOMPARD stated that the Tripoli reserve fund invested in Turkish unified bonds, which had been paid by the Italian Government to the Public Debt and constituted part of the bondholders' security, had been invested during the war in the

internal loan. In the interest of the bondholders, the Powers asked that this fund should be transferred back into Turkish unified bonds.

SIR H. RUMBOLD said that the sum involved was £T. 1,100,000.

HASSAN BEY held that this question had been settled by the sub-commission, and that the decision whereby the Council of the Ottoman Public Debt had authorised this operation was perfectly in order. That decision had been adopted by a majority vote, in accordance with the statutes of the Public Debt. M. Nogara himself had been present. Besides, this conversion had not compromised the interests of the bondholders, since the reserve fund had been reinvested in bonds of the internal loan—a loan which was guaranteed like other Turkish funds.

SIR H. RUMBOLD observed that there was a certain irregularity in the decision of the council, because the Allied members of the council did not take part in it.

M. BOMPARD said that the council would be consulted on this point.

Confirmation of the Decree of Mouharrem.

M. BOMPARD said that article 11 of the Allied draft would be suppressed if the Turkish delegation made a declaration on behalf of their Government whereby the latter undertook to make no change in the decree of Mouharrem and in the other decrees mentioned in article 11 of the Allied draft. An engagement of this kind was necessary not only in the interest of the bondholders, but also with a view to safeguarding the credit of the Turkish State itself.

HASSAN BEY replied that the Turkish Government was ready to make a declaration of this nature to the Council of the Debt. The bondholders' syndicates would be informed of it. He again called attention to the fact that it was impossible to confirm the decree of Mouharrem by a treaty, since the Council of the Debt was a private institution. This declaration would be made before the end of the conference.

M. BOMPARD took note of this promise, and observed that it would be convenient if the Powers were acquainted as soon as possible with the text of the Turkish Government's declaration so that they could eliminate article 11 from the draft.

Method of distributing the Debt.

HASSAN BEY reminded the delegates of a point which he had made at the sub-commission—namely, that the Government of the Grand National Assembly wished the capital of the debt to be distributed. He asked the commission to be so good as to refer this matter back to the Financial Sub-Commission for examination

M. BOMPARD observed that this constituted a fresh demand on the part of the Angora Government.

War Damages.

ISMET PASHA said that the Turkish delegation adhered to their view on the subject of the Allied draft as regards war damages and the reimbursement of military occupation expenses. In particular, they declined to assume the burden of reimbursing occupation expenses.

SIR H. RUMBOLD observed that the Turkish Government by doing this was ignoring the results of the great war.

M. BOMPARD remarked that the attitude adopted by the Powers in this matter was not dictated by strict adherence to principle, and that they had agreed to a very considerable compromise, since the sums claimed by them were far smaller than the actual expenses which they had set forth.

ISMET PASHA said that the Turkish point of view had already been indicated several times over. It must be borne in mind that whereas the Western Powers had enjoyed peace for the last five years, Turkey had during that period endured a war which had inflicted incredible misfortune upon her. Turkey was not responsible for that situation; the sole reason why peace had not been made in 1918 was that the Powers had not wished for a just peace. The Turkish Government therefore thought that the public opinion of all countries would be unanimous in considering that it was unjust on the part of the Powers to demand that Turkey should be made to bear the expenses of military occupation and the reparation of all war damages. The Turkish

request on this subject was far more consonant with justice. For this reason the Turkish delegation adhered firmly to their point of view and hoped that the Allied Powers would concur in it. They asked that the Powers should renounce their claim for the reimbursement of occupation expenses, and they also desired that the reparation of damage should be reciprocal.

M. BOMPARD said that Turkey's opposition to most of the clauses proposed by the Allies rendered the conclusion of an agreement, which all desired, extremely difficult.

It was decided to refer back to the sub-commission (which was to hold its last meeting for this purpose) the points on which it had not yet been possible to reach agreement.

(The commission rose at 6·20 P.M.)

ANNEX (A).

Report from the Sub-Commission on Communications and Transport.

M. le Président, *Lausanne, le 12 décembre* 1922.

La deuxième Sous-Commission de la troisième Commission a repris l'étude des articles 12, 13 et 14, parmi ceux qu'elle a proposés dans son premier rapport, en tenant compte des observations présentées à cet égard par la délégation turque et la délégation italienne à la séance de la commission tenue le 8 décembre. La sous-commission a été unanime à proposer de substituer aux anciens articles 12 et 13 les deux articles dont j'ai l'honneur de remettre ci-joint copie à votre Excellence.

Quant à l'article 14, la délégation turque ne se trouve pas en mesure d'adhérer à la convention du 13 octobre 1919 portant réglementation de la navigation aérienne, parce qu'elle ne peut pas concilier les dispositions de cette convention avec certains engagements qu'elle a envers des Etats non signataires de la convention. Se rendant compte de ce fait, la sous-commission recommande la suppression de l'article 14.

Je saisis, &c.

H. FOUNTAIN,
Président de la Sous-Commission des Communications et des Transports.

Enclosure in Annex (A).

Proposed New Articles.

ARTICLE 12.

La Turquie renonce, en son propre nom et au nom de ses ressortissants, à tous droits, titres ou privilèges de toute nature sur tout ou partie des câbles dont elle ne possédera plus aucun atterrissage sur son territoire.

Si les câbles ou portions de câbles transférés conformément à l'alinéa précédent constituent des propriétés privées, l'indemnisation des particuliers sera à la charge des Gouvernements auxquels la propriété est transférée. En cas de désaccord sur le montant de l'indemnité, elle sera fixée par voie d'arbitrage.

ARTICLE 13.

La Turquie conservera les droits de propriété qu'elle peut avoir déjà sur les câbles dont un atterrissage au moins reste en territoire turc.

En ce qui concerne l'exercice des droits d'atterrissage en territoire non turc et les conditions d'exploitation, une entente sera établie entre les Etats intéressés. En cas de désaccord, le différend sera réglé par voie d'arbitrage.

ANNEX 4 B.

TROISIÈME COMMISSION.

Rapport de la première Sous-Commission (Affaires financières) présenté, le 6 janvier 1923, par M. Rompaud, Ambassadeur de France, Président de la Sous-Commission. — *Communicated by the British Delegation (No. 34 : Received at Foreign Office, January 12.*

Dette publique ottomane.

La première tâche de la sous-commission était de décider si, à son avis, la dette ottomane devait être répartie entre la Turquie, qui l'a contractée, et les États formés ou s'étant agrandis de territoires détachés de l'Empire ottoman. Déjà à la suite des guerres balkaniques, il avait été entendu qu'il serait procédé à cette répartition ; la sous-commission a admis sans discussion qu'il en serait de même à l'issue de la dernière guerre et que les deux opérations seraient effectuées simultanément.

Le principe de la répartition étant accepté, il fallait tout d'abord définir la dette à répartir. L'accord n'a pu se faire complètement à ce sujet : la délégation turque demande que la dette à répartir soit celle existant à la date de l'Armistice de Moudros, qui a mis fin aux hostilités, c'est-à-dire le 30 octobre 1918, afin que les dettes contractées pendant la guerre par l'Empire ottoman soient supportées par tous les pays qui faisaient alors partie de cet Empire ; les délégations alliées estiment, au contraire, que la dette doit être établie au 1er novembre 1914, date de l'entrée en guerre de la Turquie de telle sorte que les dépenses d'une guerre dont elle porte toute la responsabilité restent à sa charge exclusive. Ces dépenses, d'après les déclarations de la délégation ottomane et le tableau dressé par ses soins et distribué à la conférence, s'élèveraient à environ 200 millions de livres turques papier.*

Une autre contestation s'est élevée entre les délégations alliées et turque d'une part, grecque et albanaise d'autre part. Dans les tableaux dressés par les premières délégations, les emprunts d'État contractés par l'Empire ottoman pour la construction de voies ferrées, comme le Bagdad, ont été inscrits au tableau, tandis que les emprunts contractés par des compagnies de chemin de fer, comme la Jonction Salonique, n'y figurent pas. La délégation albanaise demande que tous ces emprunts sans distinction soient éliminés du tableau, la délégation grecque demande qu'ils en soient éliminés ou, au contraire, qu'ils y soient tous portés. Elle s'en remettrait au besoin à la décision sur ce point de la Cour permanente et internationale de La Haye. Les délégations alliées n'avaient voulu donner satisfaction à ces demandes, mais elles ont été amenées à reconnaître qu'il n'était pas possible soit de faire des distinctions entre les emprunts d'État suivant l'emploi qui a été donné aux fonds en provenant, soit d'inscrire à la dette de l'État des emprunts contractés par des sociétés privées selon qu'ils ont été ou non affectés, en totalité ou en partie, à des services publics ; cela leur a paru en effet irréalisable et impraticable. La délégation turque n'a pas manifesté de préférence marquée pour aucune des solutions proposées.

Les désaccords qui se sont fait jour au sujet de la fixation de la dette à répartir ne se sont pas reproduits à propos de son mode de répartition. Après quelques discussions, toutes les délégations ont adhéré au système dit de la proportionnalité des revenus, qui a fait l'objet d'études approfondies à la Conférence de Paris en 1913.

Il a été reconnu aussi que la répartition de la dette ne pouvait porter sur le capital des emprunts. Une décision contraire aurait porté atteinte aux droits des porteurs qui ont prêté au Gouvernement ottoman et à nul autre, et aurait conduit au surplus à des mesures impraticables ; il aurait fallu en effet, si la répartition avait dû s'effectuer au capital, scinder chaque titre d'emprunt ottoman, qui est généralement de 20 livres sterling, en une dizaine de titres de valeurs diverses et de pays différents. Il a donc été décidé que la contribution dans l'ensemble de la dette ottomane afférente aux pays autres que la Turquie entre lesquels elle serait répartie, formerait pour chacun d'eux une annuité globale qui serait versée au Conseil de la Dette ottomane, ce conseil étant ainsi à même d'effectuer le service des coupons des emprunts ottomans, dans les mêmes conditions que par le passé, et en conformité des engagements pris par l'Empire ottoman lors de l'émission. Toutefois, il a été admis, en premier lieu, par une

* £1 = 25 francs or = 20 francs.

dérogation au droit commun éminemment favorable à la Turquie, que celle-ci ne serait pas responsable des parts contributives des autres États et, en second lieu, que ces États pourraient racheter en capital les annuités dont ils seraient redevables.

Il a paru que le Conseil de la Dette était mieux qualifié que quiconque pour effectuer l'opération même de la répartition de la dette. Toutes les délégations ont été d'accord pour lui faire confiance ; cependant, les intéressés jouiront de la faculté de se pourvoir contre ces décisions devant le Conseil de la Société des Nations. Ces pourvois ne seront pas suspensifs.

A partir de quelle date les annuités seront-elles dues par les États successeurs ? En ce qui concerne les annuités résultant de la répartition dérivant des guerres balkaniques, la date de la mise en vigueur des traités qui ont mis fin à ces guerres a été acceptée sans difficulté. Il serait logique qu'en vertu du même principe les annuités résultant de la répartition dérivant de la dernière guerre ne fussent payables qu'à la date de la ratification du Traité de Paix à signer à Lausanne, mais les Gouvernements alliés prenant en considération le long temps qui s'est écoulé depuis l'Armistice de Moudros, qui a mis fin aux hostilités, ont consenti à faire remonter le paiement au 1er mars 1920. Cette concession, cependant fort appréciable, n'a pas suffi pour satisfaire la délégation ottomane, qui voudrait faire remonter le paiement jusqu'à l'armistice lui-même, c'est-à-dire au 30 octobre 1918. Les délégations alliées n'ont pas consenti à aller jusque-là.

L'accord s'est fait encore sur d'autres dispositions fort importantes qui sont consignées dans les articles 7, 8 et 9 du projet joint. Les articles 10 et 11 ont, au contraire, soulevé des objections.

Le Gouvernement turc ne consent pas à reconstituer le fonds de réserve dit de la Tripolitaine, arguant qu'il en a été disposé pour souscrire à l'emprunt intérieur en vertu d'une décision régulière du Conseil de la Dette. Il objecte aussi à la confirmation par traité du décret de Moharrem, tout en se déclarant prêt à donner aux Alliés et aux syndicats des porteurs de la dette l'assurance formelle qu'il le maintiendra en vigueur. Cette double assurance, dont les termes sont actuellement à l'étude, n'ayant pas encore été reçue, le premier paragraphe de l'article 11 a dû être maintenu au projet joint.

En résumé, l'accord est fait entre les délégations sur la dette publique ottomane, sauf en ce qui concerne les points suivants :

1. Date de la fixation de la dette ottomane.
2. Emprunts des chemins de fer.
3. Point de départ du paiement des annuités résultant de la répartition dérivant de la guerre de 1914.
4. Reconstitution du fonds de réserve de la Tripolitaine.
5. Confirmation du décret de Moharrem.

Dommages de Guerre.

Le principe de l'indemnisation pour dommages de guerre éprouvés dans l'Empire ottoman par les ressortissants des Gouvernements alliés autres que la Grèce est admis par le Gouvernement turc, ainsi que les conditions dans lesquelles les indemnités seront fixées et payées. Le tout est réglementé par les articles 3, 5, 6, 7 et l'annexe du projet joint (Annexe " B ").

Cependant, certaines divergences subsistent encore. Elles portent sur les points suivants :

1. La délégation turque n'a pas consenti à considérer comme réglées par l'arrangement projeté les réclamations visées à l'article 1er dans le membre de phrase commençant par les mots : " y compris."
2. La Turquie n'accepte pas l'article 2
3. Le Gouvernement turc ne veut pas conserver à son compte tout le coût des dommages de guerre ; pour les dommages de guerre, il émet la prétention, comme il l'a fait pour la dette de guerre, d'en répartir la charge entre tous les États qui faisaient partie de l'Empire ottoman au moment de la déclaration de guerre.
4. Il demande aussi que les Alliés indemnisent les Ottomans des dommages subis du fait des armées alliées.
5. La délégation turque objecte à l'octroi des immunités diplomatiques aux membres de la Commission de Liquidation.

Sur ces cinq points les délégations alliées n'ont pu complaire à la délégation turque.

Les Puissances alliées avaient proposé que la Grèce et la Turquie renonçassent réciproquement l'une à l'égard de l'autre à tous remboursements des dépenses militaires et de dommages causés par la guerre à leurs nationaux. Le Gouvernement turc consent bien à ne pas demander le remboursement de ses dépenses militaires, mais il maintient le droit de ses nationaux au paiement par la Grèce de dommages de guerre. La délégation turque évalue ces dommages à 4 milliards de francs-or. La délégation grecque a répondu par des contre-réclamations dont le montant dépasse 5 milliards. Ces contre-réclamations ont été exposées par M. Vénisélos dans une lettre datée du 20 décembre, qui a été distribuée à la conférence.

Clauses financières diverses.

Quelques clauses financières particulières ont été soumises à la délégation turque. Le texte en est ci-annexé (Annexe " c ").

La première clause a été acceptée par la délégation turque, à l'exception des derniers mots : " et de la liste civile." Cette délégation considère les biens de la liste civile comme des propriétés privées. Les délégations alliées, s'en tenant aux faits, les considèrent comme des biens distraits du domaine national et entendent qu'ils soient traités comme tels.

La deuxième clause n'est pas admise par la délégation turque.

Cette délégation fait encore objection aux cinquième et sixième clauses.

En ce qui concerne la cinquième, l'objection porte sur le second paragraphe. La délégation croit que les pensions payées dépassent en importance les retenues opérées et que par suite la Turquie n'a rien à reverser du chef des retenues pour les pensions dont elle sera déchargée.

La sixième clause figure dans plusieurs textes soumis à la conférence. Elle est d'une importance primordiale et les délégations alliées ne sauraient y renoncer en matière financière non plus qu'en toute autre.

Annex " A " to Annex (B).

Dispositions concernant la Dette publique ottomane.

I.

Les États de la Péninsule balkanique et les États nouvellement créés en Asie, en faveur desquels un territoire a été détaché de la Turquie, soit à la suite des guerres balkaniques en 1912–13, soit en vertu du présent traité, devront participer, dans les conditions indiquées ci-dessous, aux charges annuelles afférentes aux services de la dette publique ottomane, telle qu'elle est définie dans la première partie du tableau ci-annexé.

Ces États devront, dans le délai de trois mois, à compter du jour où la notification leur aura été faite, aux termes de l'article 5, de la part qui leur incombe respectivement dans les charges annuelles ci-dessus visées, donner au Conseil de la Dette des gages suffisants pour le paiement de leur part.

Dans le cas où ces gages n'auraient pas été constitués dans le délai indiqué ci-dessus, comme en cas de divergence sur la convenance des gages constitués ou des modalités de paiement, il pourra être fait appel au Conseil de la Société des Nations par tout Gouvernement intéressé ou par le Conseil de la Dette publique ottomane, ce dernier étant autorisé à agir, à cet égard, pour le compte de tous les porteurs de la dette publique ottomane, telle qu'elle est définie dans le tableau ci-annexé.

Le Conseil de la Société des Nations pourra confier la perception des revenus donnés en gage aux organisations financières internationales existant dans les pays annexants. Les décisions du Conseil de la Société des Nations seront souveraines.

A compter des dates fixées par l'article 6, la Turquie ne pourra pas être rendue responsable des parts contributives mises à la charge des autres États.

II.

La Turquie s'entendra avec le Conseil de la Dette, dans le délai fixé à l'article 1er, pour compléter, s'il y a lieu, les gages existants de façon à assurer en totalité le service de la portion d'annuité restant à sa charge.

III.

La répartition des charges annuelles, dont il est fait mention à l'article 1er, aura lieu de la manière suivante :

1. Les annuités afférentes aux emprunts antérieurs au 17 octobre 1912 seront réparties entre la Turquie et les États balkaniques en faveur desquels un territoire a été détaché de la Turquie à la suite des guerres balkaniques de 1912–13, en tenant compte des changements territoriaux intervenus depuis la mise en vigueur des traités qui ont mis fin à ces guerres ou des traités postérieurs.
2. Le solde des annuités restant à la charge de la Turquie après cette première répartition, augmenté des annuités afférentes aux emprunts contractés par la Turquie entre le 17 octobre 1912 et le 1er novembre 1914, sera réparti entre la Turquie et les États balkaniques et les États nouvellement créés en Asie en faveur desquels un territoire a été détaché de la Turquie en vertu du présent traité.

IV.

Le montant de l'annuité à payer par chaque État intéressé devra être, vis-à-vis de la somme totale exigée pour le service de la dette publique ottomane, dans la même proportion que le revenu moyen du territoire transféré vis-à-vis du revenu moyen total de la Turquie pendant les années financières 1910–11 et 1911–12, y compris, dans chaque cas, le produit des surtaxes douanières établies en 1907.

V.

Le Conseil de la Dette publique ottomane devra, dans un délai maximum de trois mois, après la mise en vigueur du présent traité, déterminer, sur les bases établies par l'article précédent, le montant des annuités incombant à chacun de ces États et leur communiquer ce montant.

Les États intéressés auront la faculté d'envoyer à Constantinople des délégués pour suivre les travaux du Conseil de la Dette publique ottomane, ayant pour objet la fixation des annuités qui leur incomberont.

Le Conseil de la Dette remplira les fonctions qui sont prévues par l'article 134 du Traité de Paix du 27 novembre 1919 avec la Bulgarie.

Tous différends pouvant surgir entre toutes les parties intéressées sur l'application des principes contenus dans le présent article, devront être déférés au Conseil de la Société des Nations dans un délai de trois mois après la notification et seront tranchés par un arbitre désigné par ce conseil. Ces pouvoirs ne seront pas suspensifs.

VI.

Les annuités dues par les États qui ont annexé des territoires détachés de la Turquie, à la suite des guerres balkaniques, seront exigibles à dater de la mise en vigueur des traités qui ont consacré l'annexion de ces territoires aux États balkaniques. Les annuités dues par les États qui ont acquis des territoires détachés de la Turquie en vertu du présent traité seront exigibles à dater du 1er mars 1920.

Sous la réserve prévue à l'article 10, ces annuités continueront à être dues jusqu'à la liquidation définitive de la dette à laquelle elles se rapportent. Toutefois, elles seront proportionnellement réduites au fur et à mesure que les emprunts, qui constituent cette dette, arriveront à extinction conformément aux dates spécifiées par les contrats visés dans la colonne 3 du tableau ci-annexé.

Les bons du Trésor de 1911–12 et 1913 énumérés audit tableau seront stipulés remboursables, avec intérêts, dans le délai de dix ans après les dates inscrites dans la colonne 8.

VII.

Le Gouvernement turc s'entendra avec le Conseil de la Dette sur les mesures à prendre pour compléter le montant des coupons arriérés de la dette publique ottomane, en tenant compte des arrangements qui devront intervenir entre le conseil et les États visés à l'article 1er pour le règlement des annuités qui n'auraient pas été payées à la mise en vigueur du présent traité. Le règlement de ces dernières annuités devra être effectué sans intérêts dans le délai de vingt années à compter de la mise en vigueur du présent traité.

VIII.

Le Gouvernement turc se reconnaît débiteur envers le Conseil de la Dette d'une somme équivalente au produit des revenus affectés jusqu'à présent au service de la dette publique ottomane dans les territoires restant turcs, qui auraient dû être versés, mais n'ont pas encore été versés, au Conseil de la Dette, à moins que ces territoires

n'aient été occupés par les forces alliées, et excepte dans ce cas, pour la période d'occupation. Le Gouvernement turc s'entendra avec le Conseil de la Dette sur le mode de règlement de cette somme.

IX.

Chacun des États qui, aux termes du présent traité, doivent supporter annuellement une part du service de la dette publique ottomane, pourra, moyennant un préavis de six mois au Conseil de la Dette, racheter cette obligation en tout ou en partie par le versement d'une somme représentant la valeur de l'annuité en question ou d'une partie de cette annuité capitalisée à un taux d'intérêt qui sera fixé, ainsi que les conditions de rachat, d'un commun accord par l'État intéressé et par le Conseil de la Dette.

Le Conseil de la Dette n'aura pas le droit d'exiger ce rachat.

X.

Le Gouvernement turc reconstituera le fonds de réserve de la Tripolitaine tel qu'il existait au 1er novembre 1911.

XI.

Le décret de Mouharrem et les décrets-annexes du 14 septembre 1903, du 24 mai-4 juin 1911, ainsi que les décrets afférents aux emprunts contractés avant le 1er novembre 1914, y compris ceux énumérés à l'Annexe 1 de la présente partie, sont confirmés.

Le Gouvernement turc s'engage à exécuter, en tout ce qui le concerne, les dispositions de l'article 258 du Traité de Paix avec l'Allemagne et les dispositions correspondantes des Traités de Paix avec l'Autriche et la Hongrie, aux termes desquelles ces pays ont renoncé à toute représentation ou participation dans toutes organisations et commissions de contrôle ou de gestion financière ou économique en Turquie.

Le 6 janvier 1923.

ANNEXE. — TABLEAU de la Dette publique ottomane antérieure au 5 Novembre 1914.

Désignation	Date de création	Durée	Taux d'intérêt	Taux d'amortissement	Capital nominal émis	Capital nominal remboursé au 5 novembre 1914	Capital nominal restant à rembourser au 5 novembre 1914 (Colonne 5 — Colonne 6)	Primes à rembourser	Date d'échéance	Banque chargée du service
1	2	3	4	5	6	7	8	9	10	11
				Pour cent						
PREMIÈRE PARTIE — Dette publique ottomane d'avant guerre (5 Novembre 1914).										
Dette unifiée	1 1 1903 et 28 12 1905		1	1	19 964	12 425 772	36 798 840	1 867 375	..	
Lots turcs	1 1 1870		1	1	5 471	1 664 758	2 705 200	220 000	..	
Unifié	5 11 1894		1	1	1	4 999 501	2 662 240	219 975	1931	Banque impériale ottomane
Priorité Tombac	26 1 5 3 1893		1	1	1	1 999 501	993 201	50 251	1931	Banque impériale ottomane
40 kilomètres Chemins de Fer orientaux	1 12 3 1894		1	1	0 45	1 500 000	1 307 192	76 751	1947	Banque impériale ottomane, y compris la Banque ind. et deux banques trésoreries.
5 pour cent, 1896	29 12 12 1 1896		5	1	0 50	7 877 750	7 814 950	183 450	1946	Banque impériale ottomane.
4 pour cent, Bagdad	3 10 1888 et 2 7 1903		4	1	0 50	7 625 254	387 876	19 594	1958	Banque impériale ottomane.
4 pour cent, Docks Beyrouth	3 10 juin 21 7 1903		4	1	0 50	2 650 000	1 120 05	1 120 05	1958	Deutsche Bank.
Baghdad, Serie I	20 5 3 1904		4	1	0 967 58	2 250 000	2 132 252	124 750	1961	Banque impériale ottomane.
Baghdad, Serie II	20 5 3 1904		4	1	0 95	2 250 000	2 132 252	124 750	1961	Deutsche Bank.
4 pour cent, 1905	21 11 12 12 1905 et 31 1 1908	57				2 000 004	2 000 004	270 397	1961	Banque impériale ottomane.
								270 397	1961	Deutsche Bank.
Tekirdagh-Adrianople	1 8 2 1905		4	1	0 50	5 305 604	1 676 432	1 676 432	1961	Banque impériale ottomane.
Baghdad-Serie III	5 11 12 1 1906		4	1	0 50	1 500 000	1 420 167	200 000	1961	Deutsche Bank.
Baghdad-Serie III	29 6 24 8 1908		4	1	0 967 58	3 296 000	3 221 700	220 350	2011	Deutsche Bank.
4 pour cent, Bons	5 10 12 1 1909		4	1	0 50	2 000 000	1 999 998	200 000	1956	Banque impériale ottomane.
4 pour cent, Lots	5 10 12 1 1909		4	1	0 50	2 000 004	2 000 004	253 961	1956	Banque impériale ottomane.
Nord-Palestine	28 11 8 12 1910		4	1	0 967 58	1 712 344	1 709 044	71 582	1962	Banque impériale ottomane.
Hedjaz-Nejd	24 2 9 4 1911		4	1	0 967 58	2 000 004	2 000 004	142 900	1962	Deutsche Bank.
Hedjaz-Section II	22 11 12 12 1910		4	1	0 50	2 000 004	1 999 998	357 140	1962	Deutsche Bank et sous-groupe
Irrigation de la plaine de Konia	5 11 11 1912					818 950	818 950	50 046	1932	
Docks, arsenal et autres travaux maritimes	16 12 12 1913		5	1	1 50	1 800 000	1 800 000	183 000	1962	
Docks de Beyrouth	1 8 1914		5	1	1 50	2 000 000	2 000 000	1 213 000	(1962)	Banque impériale ottomane
Chemins de fer Anatoliens				Variable (facultatif)		1 200 000	1 200 000	1 200 000		
Bons du Trésor 5 pour cent, 1911 (rachat de vaisseaux de guerre)	14 7 1911		5	1	2 50	1 774 000	930 000	180 588	1911	Banque ottomane de Turquie
Bons du Trésor 5 pour cent, 1912	9 7 1912		5	1	2 50	1 774 000	1 774 000	1 180 588	1912	Banque nationale de Turquie
Bons du Trésor, 6 pour cent, 1913	30 12 1913		6	1	2 50	4 200 000	4 200 000	1 100 000	1913	Privat and Co.
Total	..	..	..	..	..	100 888 213	102 194 150	8 888 213	..	
DEUXIÈME PARTIE — Emprunts contractés par le Gouvernement turc (5 Novembre 1914).										
Municipal, ville de Constantinople, 1896	31 10 12 1896		5	1	0 50	1 200 000	1 124 500	60 051	1958	Banque impériale ottomane
Municipal, ville de Smyrne, 1913	1912	..	5	1	0 50	1 200 000	1 124 500	60 051	1958	Banque nationale de Turquie
Municipal, ville de Beyrouth, 1912	1912	..	6	1	14 285	43 000	36 050	6 000	..	Banque nationale de Turquie

NOTE EXPLICATIVE. — Les chiffres des colonnes 5, 6 et 7 sont exprimés en livres turques.

La livre turque est définie par un certain poids d'or pur et par un titre déterminé. Aux termes de la loi, le titre légal est de 916 millièmes d'or pur et 84 millièmes d'alliage. Le poids légal de la pièce d'or est de 7 grammes 216 milligrammes. Le poids légal de la livre turque est de 7 grammes 216 milligrammes d'or pur.

La définition de la livre turque ci-dessus donnée ne signifie pas que les paiements pour les emprunts et le fonds d'amortissement doivent être faits en or, mais que le chiffre en livre turque doit être calculé à un taux de change qui soit possible dans la partie de ce taux payée dans la monnaie dans laquelle est due et que les calculs effectués en supposant qu'une ou plusieurs des monnaies dont la partie de l'emprunt peut être faite le paiement soit au pair de cet

ANNEX "E" to ANNEX B).

Clauses relatives au Remboursement des Frais d'Occupation militaire et au Paiements des Dommages de Guerre.

ARTICLE 1er.

Les hautes parties contractantes acceptent les dispositions suivantes pour régler définitivement les réclamations pécuniaires qu'elles ont à formuler les unes contre les autres relativement à des faits survenus entre le 1er août 1914 et la mise en vigueur du présent traité, y compris les réclamations qui, bien qu'intéressant primitivement les ressortissants turcs ou alliés, impliqueraient ultérieurement un paiement direct ou indirect d'un Gouvernement au profit d'un autre Gouvernement.

ARTICLE 2.

La Turquie s'engage à payer la somme de 30 millions de livres turques or pour le remboursement des dépenses des forces britanniques, françaises et italiennes d'occupation depuis le 30 octobre 1918 jusqu'à la mise en vigueur du présent traité.

Les sommes en or transférées par l'Allemagne et l'Autriche, en vertu de l'article 259 (1) du traité avec l'Allemagne et de l'article 210 (1) du traité avec l'Autriche seront employées au remboursement des dépenses d'occupation. Le montant en sera déduit de la somme visée à l'alinéa précédent.

Le Conseil de la Dette publique ottomane est déchargé des paiements qui étaient garantis par ces sommes.

ARTICLE 3.

La Turquie s'engage à indemniser les ressortissants des Puissances alliées autres que la Grèce pour les pertes et dommages subis par eux dans leurs personnes ou dans leurs biens, par suite de faits de guerre ou de tout acte ou négligence du Gouvernement turc, y compris les mesures visées par les articles (Clauses économiques), pendant la période comprise entre le 1er août 1914 et la mise en vigueur du présent traité, sur les territoires qui étaient ottomans au 1er août 1914.

Pour l'application du présent article, le terme "ressortissants des Puissances alliées" est défini à l'article 10 du présent traité (Clauses économiques).

Dans le délai d'un an à partir de la mise en vigueur du présent traité, lesdits ressortissants introduiront leurs requêtes, avec documents à l'appui, près d'un tribunal arbitral mixte composé d'un président neutre, désigné d'un commun accord, d'un arbitre turc et d'un arbitre désigné par la Puissance alliée intéressée. En cas de désaccord, le président neutre sera désigné par le Tribunal international de La Haye.

Ce tribunal statuera sur la recevabilité de ces requêtes et fixera, le cas échéant, en livres turques or le montant des réparations ou indemnités auxquelles le réclamant aura droit.

Toutefois, la Turquie ne sera pas tenue de réparer les dommages résultant de faits de guerre ou de mesures exceptionnelles de guerre, de dispositions imputables aux armées ou administrations grecques dans les territoires ottomans occupés par ces armées ou administrations depuis le 30 octobre 1918.

En conséquence, si le Gouvernement turc déclare que les réparations ou indemnités réclamées par un ressortissant allié incombent au Gouvernement grec, il devra en aviser le tribunal arbitral mixte dans les trois mois de la notification de la requête. Celle-ci sera immédiatement référée à un tribunal mixte gréco-turc, composé d'un président neutre, d'un arbitre hellénique et d'un arbitre turc, à l'effet d'établir les responsabilités respectives du Gouvernement turc et du Gouvernement hellénique ou leur responsabilité conjointe.

Si le tribunal mixte gréco-turc retient à la charge du Gouvernement turc tout ou partie des réparations et dommages qui font l'objet de la requête, celle-ci fera retour au tribunal arbitral mixte prévu à l'alinéa 2 du présent article.

Les hautes parties contractantes s'engagent à considérer les décisions des deux tribunaux visés au présent article comme souveraines et sans appel et à en assurer l'exécution sur leurs territoires dès que la notification des sentences leur sera parvenue, sans qu'il soit besoin de recourir à aucune procédure d'exequatur.

ARTICLE 4.

La Grèce et la Turquie renoncent réciproquement l'une à l'égard de l'autre à tout remboursement de dépenses militaires et de dommages causés à leurs nationaux.

ARTICLE 5.

Il sera institué à Constantinople une commission appelée "Commission de Liquidation."

La commission se composera de quatre membres nommés respectivement par les Gouvernements de France, de Grande-Bretagne, d'Italie et de Turquie.

La Commission de Liquidation sera dissoute aussitôt que les obligations de la Turquie prévues par les articles du présent traité seront complètement remplies.

Les conditions de fonctionnement de la commission sont réglées par l'annexe ci-jointe.

ARTICLE 6.

Le Gouvernement turc s'acquittera des obligations mises à sa charge par l'article par la remise à la Commission de Liquidation des bons libellés en livres turques or qui seront appelés "bons de liquidation."

Les bons de liquidation porteront intérêt au taux de 5 pour cent par an, et le Gouvernement turc paiera en outre un amortissement de 1 pour cent par an. Pour assurer l'intérêt et l'amortissement de ces bons, le Gouvernement turc versera à la Commission de Liquidation trente-sept annuités représentant chacune 6 pour cent du montant total des bons en circulation.

Les bons remis par le Gouvernement turc à la Commission de Liquidation seront délivrés par elle aux Gouvernements et aux nationaux alliés intéressés. Le Gouvernement turc sera libéré à concurrence du montant nominal des bons.

La commission pourra à toute époque, si elle le juge à propos, et à la requête des bénéficiaires, négocier, pour leur compte, les bons qui leur seront attribués.

Le Gouvernement turc aura le droit, à toute époque, de rembourser au pair les bons restant en circulation, en donnant avis six mois à l'avance à la Commission de Liquidation ou d'en rembourser aux mêmes conditions une partie (les bons rachetés seront choisis par tirage au sort). Le Gouvernement turc aura également le droit d'acheter les bons de liquidation aux porteurs, à telles conditions qui pourront être acceptées entre eux et le Gouvernement. Les bons ainsi rachetés devront être présentés, pour annulation, à la Commission de Liquidation.

Les bons de liquidation seront exemptés de toutes taxes ou impôts établis ou à établir en Turquie.

ARTICLE 7.

Afin d'assurer le paiement des annuités nécessaires pour effectuer le service des bons de liquidation, le Gouvernement turc affectera irrévocablement à leur garantie des gages suffisants. Les revenus donnés en gages devront être acceptés par la Commission de Liquidation et avoir donné pendant les deux années précédentes un produit moyen supérieur de 10 pour cent au montant des annuités à gager. Ces affectations seront faites par tranches de £T. 3,000,000 or et antérieurement à l'émission des bons.

Ces revenus seront gérés par le Conseil de la Dette publique ottomane.

Les revenus affectés devront comprendre dans tous les cas le produit des concessions existant ou à créer.

Le Gouvernement turc s'engage, dans le cas où le produit des gages et revenus visés dans le 1er paragraphe du présent article deviendrait insuffisant, à combler le déficit en procédant à de nouvelles affectations de revenus.

Le Gouvernement turc devra, avant leur promulgation, demander l'avis de la Commission de Liquidation sur tous les contrats de nouvelles concessions ou de prorogation de concessions, à accorder à des ressortissants ottomans ou de tous autres.

Afin de permettre à la commission de remplir sa mission en toute connaissance de cause, le Gouvernement turc devra donner à la Commission de Liquidation et à son représentant toutes les facilités nécessaires pour l'accomplissement de sa mission auprès des administrations intéressées.

Le 6 janvier 1923.

Annex.

1. La Commission de Liquidation établira ses règles et sa procédure. Chaque membre aura le droit de nommer un suppléant qui le remplacera en son absence.

La commission sera présidée successivement par les représentants de la France, de la Grande-Bretagne, de l'Italie et de la Turquie, dont chacun prendra la présidence pour une période de deux ans.

2. Les décisions seront prises à la majorité des voix. L'abstention sera considérée comme un vote opposé à la proposition en discussion.

3. La commission nommera tels agents et employés qui lui paraîtront nécessaires pour ses travaux.

4. Les frais et dépenses de la commission, qui seront payés par la Turquie, seront acquittés sur les revenus payables à la commission. Les traitements des membres de la commission seront fixés à un taux raisonnable et revisés de temps à autre, d'accord entre les trois Gouvernements représentés à la commission.

5. Aucun membre de la commission ne sera responsable, si ce n'est vis-à-vis du Gouvernement qui l'a désigné, de tout acte ou omission dérivant de ses fonctions. Aucun Gouvernement n'assume de responsabilité pour le compte d'aucun autre Gouvernement.

6. Les membres de la commission jouiront de tous les droits et privilèges qui sont accordés aux agents diplomatiques dûment accrédités des Puissances amies.

Annex "c" to Annex (B).

Dispositions financières.—Clauses diverses.

I.

Les États en faveur desquels un territoire a été détaché de la Turquie acquerront gratuitement tous biens et propriétés situés dans ce territoire et enregistrés au nom de l'Empire ottoman et de la liste civile.

II.

Les hypothèques prises sur les revenus de la Turquie entre le 1er août 1914 et le 30 octobre 1918 en garantie d'obligations, y compris la dette intérieure contractée par le Gouvernement turc pendant cette période, sont annulées.

III.

La Turquie reconnaît le transfert de toutes les créances que l'Allemagne, l'Autriche, la Bulgarie et la Hongrie possèdent contre elle, conformément à l'article 261 du Traité de Paix conclu à Versailles le 28 juin 1919 avec l'Allemagne et aux articles correspondants des Traités de Paix avec l'Autriche, la Bulgarie et la Hongrie. Les Puissances alliées conviennent de ne demander aucun paiement à la Turquie sur les créances qui leur sont ainsi transférées.

IV.

Le Gouvernement turc, d'accord avec les Puissances alliées, libère le Gouvernement allemand des obligations contractées par celui-ci pendant la guerre d'accepter des billets émis par le Gouvernement turc, à un taux de change déterminé, en paiement de marchandises à exporter d'Allemagne en Turquie après la guerre.

V.

Les bénéficiaires de pensions civiles et militaires turques devenus, en vertu du présent traité, ressortissants d'un Etat autre que la Turquie ne pourront exercer du chef de leurs pensions aucun recours contre le Gouvernement turc.

Des accords à intervenir entre la Turquie et les États dont les bénéficiaires seront devenus les ressortissants détermineront les conditions de répartition des fonds de pensions constitués par les versements des intéressés.

VI.

Le Gouvernement turc confirme la validité et assurera l'exécution des contrats et règlements intervenus antérieurement au 1er novembre 1922 entre le Gouvernement ottoman, d'une part, l'Administration de la Dette, les ressortissants alliés et les sociétés ottomanes où les intérêts alliés sont prépondérants, d'autre part, au sujet des avances et répartitions de bénéfices consenties au Gouvernement ottoman et du service de la Dette publique ottomane.

Le 6 janvier 1923.

ANNEX (C).

Greek Delegation to British Delegation.

La délégation hellénique à l'honneur de faire parvenir ci-joint à la délégation de Sa Majesté britannique à la Conférence de Lausanne un mémoire contenant des observations sur la question de la répartition de la dette publique ottomane.

Délégation hellénique,
Lausanne, le 10 janvier 1923.

Enclosure in Annex (C).

Observations de la Délégation hellénique sur la Répartition de la Dette publique ottomane.

I.

Le principe de la participation des États annexants aux charges financières de l'Etat dont les territoires annexés faisaient partie n'est pas consacré; il est, au contraire, à remarquer que durant les cinquante dernières années qui ont précédé la guerre mondiale ce principe n'a pas été appliqué dans la pratique internationale. Cependant la Grèce a déclaré qu'en dépit de sa situation financière fort embarrassée (reflétée, entre autres, par la dépréciation de la drachme grecque parvenue au vingtième environ de sa valeur d'avant-guerre et continuant toujours à se déprécier), elle ne refuse pas en principe d'assumer une partie des charges publiques de l'Empire ottoman; elle a seulement demandé que la mesure de sa participation fût fixée selon les principes de la justice et de l'équité.

Il appert de publications officielles turques que les recettes fiscales, dans les territoires attribués à la Grèce à la suite des guerres balkaniques et de la guerre mondiale, étaient loin de couvrir les dépenses que ces territoires occasionnaient à l'Administration turque; la balance se traduisait toujours par un déficit considérable dans le budget ottoman. Il n'y a pas lieu d'espérer qu'après leur séparation d'un vaste hinterland, ces territoires puissent voir leur condition s'améliorer dans un avenir prochain au milieu de la crise économique mondiale et particulièrement de la crise que traverse la Grèce. Dès lors, il est juste et équitable que la Grèce soit dûment ménagée dans la fixation de sa quote-part aux charges ottomanes.

II.

Cependant, les propositions présentées par les Puissances invitantes à la sous-commission financière visent:

1. À faire participer la Grèce aux dettes contractées par la Turquie pour la construction de chemins de fer en Asie Mineure, tels les emprunts turcs de 12,364,000 livres turques pour le Chemin de Fer de Bigdaï, de 1,712,304 livres turques pour la ligne Soma–Panderma et de 1,000,010 livres turques pour celle de Hodeïda–Sanaa.
2. À exclure, par contre, du tableau des dettes à répartir entre tous les États successeurs, la garantie kilométrique destinée à assurer l'exploitation de la ligne Jonction-Salonique–Constantinople, qui grevait le budget ottoman jusqu'en 1912 et qui est à partir de cette année entièrement à la charge du Gouvernement hellénique, par suite de l'attribution à la Grèce du territoire sur lequel cette ligne est située.

La délégation hellénique estime qu'il serait contraire à la justice si, tout en laissant entièrement à la charge de la Grèce la garantie kilométrique afférente au chemin de fer Jonction-Salonique–Constantinople, on l'invitait en même temps à contribuer au service des dettes contractées pour la construction de chemins de fer en Asie Mineure. Elle persiste dans le point de vue oralement exposé par elle à la sous-commission, à savoir qu'en cette matière on devrait choisir entre les deux procédés suivants:

1. Inscrire sur le tableau général des dettes ottomanes à répartir toutes les charges relatives aux chemins de fer qui grevaient le budget ottoman, par conséquent aussi la garantie kilométrique payée par ce Gouvernement pour la ligne Jonction-Salonique–Constantinople. Dans ce cas, la Grèce assurant déjà en entier le paiement de cette garantie, soit 235,000 livres turques (ci-après § III), sa part contributive devrait être sensiblement réduite ; ou bien :
2. Éliminer du tableau de répartition toutes les dettes provenant de la construction de chemins de fer ou travaux analogues, exécutés sur des territoires qui ne reviennent pas à la Grèce, que ces territoires demeurent turcs ou qu'ils soient attribués à d'autres États en vertu du présent traité

Les délégués des Puissances invitantes ont reconnu le bien-fondé des arguments de la délégation hellénique et, par le projet de clauses concernant les emprunts de chemins de fer du 8 décembre 1922, ils proposèrent ce qui suit :

"Les annuités d'emprunts contractés directement par le Gouvernement ottoman avant le 1er novembre 1914 en vue de la construction de lignes de chemins de fer exploitées à cette date et gagés d'une manière quelconque sur le produit de ces lignes seront, à partir des dates mises à la charge des États sur les territoires desquels lesdits chemins de fer se trouveront situés à la suite du présent traité."

En vertu de cette clause, on devait éliminer du tableau des dettes à répartir les obligations des Chemins de Fer de Bagdad, de Soma-Panderma et de Hodeida–Sanaa. Mais les délégations des Puissances invitantes, dans la séance de la sous-commission du 5 janvier 1923, sont revenues sur leur propre proposition.

III.

Avant d'entrer à l'examen de la question, la délégation hellénique croit utile de rappeler les faits suivants :

La Compagnie du Chemin de Fer ottoman Jonction-Salonique Constantinople conclut en 1893 avec le Gouvernement ottoman l'accord relatif à la construction de cette ligne. En vertu de l'article 31 de la Convention de Concession, le Gouvernement ottoman s'est engagé à "garantir au concessionnaire un revenu annuel brut de 15,500 fr. par kilomètre construit et exploité." En exécution de cet engagement, le Gouvernement turc versait aux concessionnaires par an et en moyenne une somme de 200,000 livres turques environ. Si l'on veut en effet calculer cette moyenne par la méthode connue, qui consiste à prendre les résultats des cinq dernières années pour en écarter ensuite les chiffres maximum et minimum, on obtient ce qui suit :

	Livres turques.
Année 1906, versement du Gouvernement turc... ...	239,800
„ 1907 „ „	242,506
„ 1908 „ „	221,986
„ 1909 „ „	209,385
„ 1910 „ „	158,323
ce qui donne comme moyenne annuelle	235,000

(La somme versée pour l'année 1911 ne nous est pas connue. Quant à l'année 1912, elle ne saurait servir de critérium en raison des guerres balkaniques.)

Ainsi donc la somme de 235,000 livres turques était une dette annuelle de l'Empire ottoman, dont la Grèce assuma intégralement l'obligation, déchargeant par là le Trésor ottoman du paiement de cette redevance.

IV.

Il a été objecté à la proposition grecque qu'il ne peut y avoir répartition des dettes d'une société privée, mais que seule la dette publique ottomane sera répartie. Tout d'abord, il est à remarquer qu'il ne s'agit point en l'occurrence des dettes contractées par la société qui a construit la ligne en question. Il s'agit des charges qui incombaient du chef de cette ligne au Gouvernement turc. D'autre part, la dette publique d'un État n'est pas représentée comme les dettes privées par un bilan de l'actif et du passif ; elle apparaît sous forme de paiements annuels inscrits sur le budget de l'État. Or, avant

les guerres balkaniques, le budget de l'Empire ottoman était grevé d'un paiement annuel d'environ 235,000 livres turques pour la ligne Jonction-Salonique–Constantinople. La Turquie fut déchargée de cette dette et c'est la Grèce qui en assuma l'obligation. Le fait que la Grèce, d'accord avec la société intéressée, a réglé d'une manière définitive la dette afférente à cette ligne, ne modifie en rien l'aspect juridique et économique de la question ; il n'en reste pas moins que la Grèce a payé une dette qui grevait le budget de l'Empire ottoman et qui est antérieure aux guerres balkaniques. Elle a, par conséquent, le droit de demander que cette dette soit également inscrite sur le tableau des charges à répartir et que sa quote-part en soit proportionnellement diminuée. D'ailleurs, l'emprunt de Bagdad lui-même n'a été contracté qu'en vue du rachat d'une grande partie de la garantie kilométrique du chemin de fer homonyme.

On a, en outre, objecté que, comme celui du Chemin de Fer de Bagdad, d'autres emprunts contractés par le Gouvernement turc peuvent avoir été également affectés à des buts spéciaux et que, vu la difficulté d'établir où et comment chaque emprunt a été employé, il était plus commode de les comprendre tous—même ceux dont l'affectation spéciale est établie—dans le tableau de la dette à répartir et de les mettre à la charge des États successeurs C'est tout comme si un juge appelé à décider si dix objets différents appartiennent à une personne et n'ayant pas des preuves suffisantes pour sept parmi ces objets, il refusait d'adjuger à l'intéressé les trois autres sur lesquels pourtant les droits de ce dernier seraient incontestablement établis.

V.

La délégation albanaise a soutenu que les États successeurs ne devraient pas être chargés des dettes de l'Empire affectées à la construction de lignes qui ne sont pas situées sur les territoires qui leur reviennent. La délégation hellénique, ayant tout d'abord préconisé l'inscription sur le tableau de toutes les charges du budget turc relatives aux chemins de fer, n'a pas cependant voulu insister exclusivement sur ce procédé et s'est déclarée prête à se rallier à la thèse albanaise, conforme d'ailleurs à l'avis récemment exprimé par des juristes faisant autorité en cette matière (Jèze, "Le Partage des Dettes publiques en cas de Démembrement," &c., page 21 : "La dette contractée pour la constitution du domaine, *des chemins de fer*, &c., passe à l'État annexant dans la mesure où il recueille l'actif—*res transit cum suo onere*").

Il résulte de ce qui précède que la solution préconisée par les délégations des Puissances invitantes n'est pas conforme à la justice ni à l'équité et comme telle elle ne pourrait être acceptée par la délégation hellénique. Elle consisterait en effet à surcharger, en dépit de toute justice, les finances déjà obérées du royaume. La Grèce est obligée de repousser toute charge injuste qui risquerait de compromettre davantage la situation déjà précaire de ses propres créanciers. Elle a le devoir de défendre les intérêts de ces derniers ainsi que les siens propres.

Cependant, la délégation hellénique ne désire nullement faire de cette question un obstacle à la signature de la paix. Considérant donc :

1. Que le litige ici exposé, en ce qui concerne la Grèce, ne porte pas sur une des questions qui sont la conséquence de la guerre mondiale à laquelle les négociations en cours doivent mettre fin, mais qu'il se rapporte aux effets des guerres balkaniques au sujet desquels des traités spéciaux sont intervenus ;
2. Qu'il s'agit d'un différend financier où se heurtent les intérêts de la Turquie, des États successeurs et des Puissances invitantes, ces dernières ayant en même temps la charge de défendre les intérêts des créanciers-porteurs ;
3. Que, dans ces conditions, l'opinion publique en Grèce pourrait être désagréablement impressionnée par toute décision prise à ce sujet par les grandes Puissances, qui pourraient être considérées dans ce cas comme juges et parties en même temps ;

La délégation hellénique croit juste et utile de proposer, pour le cas où son propre point de vue ne serait pas adopté, de déférer ce litige, de l'accord commun de toutes les parties contractantes, à la Cour permanente de Justice internationale.

Lausanne, le 10 janvier 1923.

Post-Scriptum.

La délégation hellénique vient de recevoir le rapport adressé à la troisième Commission par le président de la première Sous-Commission.

Dans ce rapport il est dit que la délégation hellénique aurait demandé à faire figurer sur le tableau des dettes à répartir les emprunts des compagnies de chemins de fer, comme celui de la Compagnie Jonction-Salonique–Constantinople.

Or, la délégation hellénique doit faire remarquer qu'elle ne demande nullement à faire entrer dans la répartition les emprunts des compagnies de chemins de fer ; elle demande simplement à faire figurer parmi les annuités inscrites sur le tableau (lesquelles feront en réalité l'objet de la répartition et non pas les capitaux) les garanties kilométriques que le Gouvernement ottoman avait assumé l'obligation de verser aux compagnies de chemins de fer.

Cette demande est fondée sur ce qu'aucune différence n'existe entre l'obligation de la Turquie au paiement d'une garantie kilométrique et l'annuité d'un emprunt de l'Empire ottoman. La garantie kilométrique et l'annuité sont au même titre destinées à satisfaire les intérêts de porteurs d'obligations. L'obligation du Gouvernement turc à l'égard des détenteurs de titres est en substance la même dans les deux cas, avec cette seule distinction, qu'elle se présente dans le premier sous forme de garantie kilométrique, et dans le second sous forme d'annuité. Pour assurer l'exploitation d'un chemin de fer, l'annuité et la garantie kilométrique peuvent servir indifféremment et même coexister. Tel est le cas du Chemin de Fer de Bagdad. En vertu de l'article 35 de la convention y relative, le Gouvernement turc est obligé de payer une somme de 15,500 fr. par an et par kilomètre exploité comme garantie kilométrique. Une partie de cette garantie, soit 11,000 fr., a été capitalisée et convertie en annuité, de sorte que la redevance annuelle du Gouvernement ottoman de 15,500 fr., au lieu d'être payée en entier sous forme de garantie kilométrique, a été divisée en deux parties, dont une de 11,000 fr. est versée au titre d'annuité et l'autre de 4,500 fr., sous forme de garantie kilométrique. C'est la première de ces deux parties qui figure sur le tableau proposé par les Puissances invitantes : elle n'est qu'une garantie kilométrique convertie en annuité.

Note.—Dans l'annexe ci-jointe sont données les parties des articles 35 de la Convention de Concession du Chemin de Fer de Bagdad et 31 de celle du Chemin de Fer "Jonction-Salonique-Constantinople," auxquelles se réfère l'exposé ci-dessus.

Annex.

Convention pour la Construction et l'Exploitation du Chemin de Fer de Bagdad en date du 5 Mars 1903.

Article 35.

Le Gouvernement impérial ottoman garantit au concessionnaire une allocation fixe et annuelle de 11,000 fr. par kilomètre construit et exploité de la ligne. De même, il garantit sous forme de frais d'exploitation 4,500 fr. par an et par kilomètre exploité.

Au lieu de la garantie susmentionnée de 11,000 fr. par kilomètre, le Gouvernement impérial ottoman contractera un emprunt à 4 pour cent avec 0·687538 d'amortissement et amortissable au plus tard jusqu'à l'expiration de la présente convention.

Par conséquent, le concessionnaire aura droit à 269,110·65 fr. par chaque kilomètre exploité sous forme d'obligation.

Convention pour la Construction et l'Exploitation du Chemin de Fer Jonction-Salonique-Constantinople en date du 8 Octobre 1892.

Article 31.

Le Gouvernement impérial garantit au concessionnaire un revenu annuel brut de 15,500 fr. par kilomètre construit et exploité de la ligne principale et des embranchements à faire sur Dédéagatch et Salonique. En cas d'insuffisance des recettes d'exploitation, il sera procédé de la manière suivante pour parfaire ledit chiffre de 15,500 fr. de revenus bruts par kilomètre et par an du chemin de fer construit et exploité.

E 1137/35/44] No. 144.

Mr. Henderson to the Marquess Curzon of Kedleston.—(Received January 29.)

(No. 52.)

My Lord, *Constantinople, January 20, 1923.*

MUSTAPHA KEMAL PASHA arrived at Ismid on the 16th instant. It is not clear what predominating motive to attribute to his departure from Angora at this critical stage of the Lausanne Conference, when his presence in the Grand National Assembly would seem almost indispensable in view of the importance of the decisions which may have to be taken.

2. The published reasons for his journey, which, it is reported, will extend to Broussa, Smyrna, Adana, the southern front and even to Mosul, are two-fold : the inspection of his army and the explanation to the people of the aims and objects of the Popular Party which he has announced his intention to found.

3. It is probable that both these given reasons are real. The French High Commissioner informs me that in his telegram on the subject of Mustapha Kemal's journey Colonel Mougin has laid great stress on its military character. General Pellé has little faith in the critical faculties of Colonel Mougin, whom he regards as ready to accept any version that the Turks at Angora wish him to believe. This may be true in the present instance, in which case it is the military objective to which the Turks desire the Allies to attach the greatest importance.

4. In this connection Mustapha Kemal's tour would seem to have been undertaken in anticipation of the crisis which is likely to arise at Lausanne before the end of the month. The pressure on the conference which the Turks are determined to exert through their army would undoubtedly be enhanced by the presence in its midst of the commander-in-chief.

5. It is certain that the arrival of Mustapha Kemal at Ismid coincided with an outbreak of pessimism in the press and public opinion as to the prospects of a peaceful issue of the Lausanne Conference. This pessimism, which is in striking contrast with the wave of optimism which was prevalent in all circles during the preceding week, may be merely the result of the Greek activities in Thrace, but it may well also be inspired. There is no doubt that the Angora Government mainly relies on the menace of its army to overcome the last resistance of the Allies. It is certain that that Government issued instructions to all concerned to make as much capital as possible out of the recent calling to the colours of three classes of recruits. The press was, as I am aware, instructed to give great prominence to this measure, and to emphasise the alacrity with which the recruits were obeying the summons.

6. Apart from the question of pressure on the Allies, there is another military ground for Mustapha Kemal's inspection of his troops. The *moral* of the army has much diminished since the Mudania Convention. It would be surprising were it otherwise. After a complete and almost bloodless victory, the Turkish army has been held up in excessively uncomfortable winter quarters, exposed to the most inclement weather and suffering from a scarcity of supplies. The main object of the campaign of last September was the liberation of Asia Minor and Smyrna. This has been accomplished. It is true that the loot, comfort and plenty of Constantinople would be no little incentive to a further effort. But the vast majority of the army must be Anatolians, whose principal attachment is to their own homes and villages. An army under these conditions must inevitably suffer from reaction and tend to demoralisation. One of the motives of Mustapha Kemal's tour of inspection probably is to revive the *moral* of his troops, as well as that personal popularity which is such a necessary adjunct to retention of power by an adventurer.

7. I am, however, convinced in the very real desire of the Turks for peace. I am, therefore, of opinion that, in addition to, and without in any way clashing with, the military objectives, which I am inclined to regard mainly, if not wholly, as bluff, the Ghazi Pasha's journey has in the main a political objective, and is actually a kind of electoral tourney in anticipation of peace.

8. Once peace is signed at Lausanne, the present Grand National Assembly will probably be dissolved. It may even be necessary to dissolve it before the treaty is accepted. It may well be that it is against this eventuality that Mustapha Kemal is preparing, and that he has chosen the present moment to make this journey for fear lest the opportunity may not offer itself later. In this respect it is probably a journey that has been deferred till now only on account of the insecurity of Mustapha Kemal's own position at Angora.

9. The only effective electoral organisation at present in existence is that of the old Committee of Union and Progress Party, to which Mustapha Kemal's personal enemies largely belong, and of which the leader in Angora is, I believe, Kara Vassif Bey, Deputy for Sivas. Kemal's own party hitherto has been known under the name of the Party for the Defence of Rights in Anatolia and Roumelia. There is, in addition, a National Defence Party, and in Constantinople, at any rate, the remains of the old *Entente libérale* Party. A few weeks ago Mustapha Kemal announced his intention of creating a Popular Party, with the unity of the nation as its political programme. It is probable that Mustapha Kemal will endeavour to combine under the banner of this new party all his own adherents in the other groups. Apart from those enemies of Mustapha Kemal who are to be found in the ranks of the old Committee of Union and Progress Party, there are others outside that party who, for either no other motives than jealousy and personal animosity or on monarchical or religious grounds, are hostile to him. Out of these elements a formidable opposition is likely to be created. Hitherto a common foreign danger has helped to restrain it, but Mustapha Kemal may well deem it indispensable to arrange for a regrouping of parties in order to cope successfully with that opposition once the external pressure has been removed.

10. The declarations made by Mustapha Kemal to representatives of the Constantinople press at Ismid on the 18th instant confirm the double object of his tour. After sympathetic references to the sufferings and patriotism of Constantinople, whose suffrages he doubtless wishes to attract, he refers as follows to his future political party: "We are obliged to adopt a programme calculated to satisfy the needs of our people, and to compensate it for the sufferings endured. This programme must be applied by the whole population, thereby necessitating the creation of a political organism. It is with this object in view, and in order to ensure the happiness of our people, that we contemplate the constitution of a 'Popular Party.' Our object is not to ensure advantages to one class to the prejudice of others. We wish the whole nation to be restored to prosperity by means of an efficient co-operation."

11. After thus expounding in sufficiently vague terms his electoral programme, and after stating that the new Turkey will not be a Government of conquest but an economically prosperous country, "not more behindhand in this respect than the Japanese," he refers in almost equally vague terms to a possible belligerency: "The victorious army of the Grand National Assembly of Turkey maintains intact its enthusiasm, ready for fresh victories . . . . . We are ready to make still greater sacrifices than during the past three years to achieve our end." But he adds that "the Government of the Grand National Assembly is a rational Government which avoids criminal adventure for chimerical ideas."

12. Mustapha Kemal described the fundamental principles of the Government as being, firstly, absolute independence, and, secondly, unconditional national sovereignty. The first, he said, finds its expression in the National Pact, now actually realised by force of arms, and the second in the new constitutional law of Turkey.

13. Mustapha Kemal's declaration ended as it began with a reference to Constantinople. "Owing," he said, "to the breaches of the Mudros armistice, a number of misfortunes have befallen the country. One of the most tried centres has been Constantinople, which has suffered not only as the result of Allied occupation, but also from the evils caused by its Sovereign. Now that the Government of the Grand National Assembly has taken possession of Constantinople, it will do its best to alleviate suffering there."

14. Nevertheless, apart from the ostensible motives, there may possibly be an underlying purpose in Mustapha Kemal's absence from Angora at this particular moment. He may desire to leave the Grand National Assembly free to vote according to its inclination without any inspiration on his part in respect of any decisions that may be taken by Ismet Pasha at Lausanne. At the same time, in the event of that assembly refusing, as it would be easier for it to do in the absence of Mustapha Kemal on account of the close relations between him and Ismet, to ratify a treaty signed by the latter, he may wish to reserve to himself the opportunity of being the final arbiter of the destinies of Turkey.

I have, &c.
NEVILE HENDERSON,
Acting High Commissioner.

[E 1085/1/44] No. 145.

Greek Delegation, Lausanne, to the Marquess Curzon of Kedleston.—(Communicated by British Delegation (No. 96): Received at Foreign Office, January 29.)

LA délégation hellénique a l'honneur de transmettre ci-joint un mémoire contenant ses observations sur le mémorandum de la délégation ottomane du 20 janvier au courant au sujet des indemnités dues pour cause de dommages de guerre.

Délégation hellénique, Lausanne,
le 25 janvier 1923.

Enclosure 1 in No. 145.

M. Venizelos to M. Bompard.

Délégation hellénique, Lausanne,
M. le Président, *le 25 janvier 1923.*

J'AI l'honneur de vous faire parvenir ci-inclus un mémoire contenant les observations de la délégation hellénique sur le mémorandum de la délégation ottomane daté du 20 janvier au courant au sujet des indemnités demandées par la Turquie à la Grèce du fait des dommages de guerre.

Veuillez agréer, &c.
E. K. VENISELOS.

Enclosure 2 in No. 145.

Observations sur le Mémorandum de la Délégation turque du 20 Janvier 1923 concernant les Dommages de Guerre.

LA délégation ottomane a adressé, le 20 janvier, au président de la troisième Commission de la conférence une lettre accompagnée d'un mémorandum, dans lesquels elle expose les différents chefs dont la Turquie se croit en droit de demander des indemnités et fixe à £T. 1,341,639,505 le montant de ces réclamations.

La délégation hellénique ne croit pas nécessaire de répéter ici les motifs d'apaisement et de réconciliation qui l'ont amenée à accepter l'entière compensation des indemnités réciproquement exigées par la Grèce et la Turquie, quoique ses propres réclamations fussent considérablement supérieures à celles que la Turquie pourrait légitimement faire valoir. Le point de vue hellénique a été suffisamment développé devant la sous-commission pour les questions financières et se trouve, en outre, résumé dans le mémoire que cette délégation a adressé le 20 décembre dernier à la conférence.

Cependant, la délégation hellénique ne peut s'empêcher de relever certains points du mémorandum turc dont la réfutation suffit pour ébranler tout l'édifice mal étayé des réclamations turques.

Dans le tableau I annexé à ce mémorandum, une somme de £T. 175,905,108 se trouve inscrite. Elle représente l'indemnité demandée par la Turquie pour les 18,865 bâtiments détruits par l'incendie dans la ville de Smyrne. Il est à peine nécessaire de souligner l'extravagance de cette prétention. Si même toute autre preuve à ce sujet faisait défaut, il semblerait tout au moins étrange que la délégation turque essaye de faire retomber sur la Grèce la responsabilité d'un incendie qui a éclaté le quatrième jour de l'occupation de la ville par l'armée régulière turque pour y détruire avec une exactitude très significative les quartiers grecs et arméniens. Mais abstraction faite de la question de responsabilité et en tenant compte des seuls faits, il reste impossible de trouver une justification de droit ou autre à cette réclamation. En effet, tout ce que représentait comme valeur mobilière ou immobilière la partie de la ville incendiée appartenait à des Grecs ou Arméniens (sans parler de la part revenant à des sujets étrangers). Or, tous ces sinistrés, Grecs ou Arméniens, s'ils

n'ont pas péri dans l'incendie même ou dans les troubles qui l'ont accompagné, ils se sont réfugiés en Grèce et ailleurs en dehors du territoire ottoman, où ils sont recueillis et assistés par le Gouvernement hellénique et par les institutions de bienfaisance de tous les pays chrétiens. Ils étaient tous à peu près sujets de l'Empire ottoman auxquels la Turquie, par la voix de ses représentants à la conférence, refuse formellement l'accès de son territoire, malgré les instances réitérées de la délégation hellénique et les recommandations pressantes des autres délégations. En vertu de quelle règle de droit ou d'équité la Turquie demanderait-elle à être indemnisée de dommages causés sur son propre territoire par un incendie dont l'origine ne fait aucun doute et entièrement subis par des populations avec les quelles elle ne cesse de proclamer qu'elle a rompu tout lien de solidarité? Au surplus, la demande en serait formulée précisément à l'État qui assuma la lourde tâche de soulager l'infortune de ces populations.

Le mémorandum turc semble en outre faire un grief à la Grèce de la dépopulation de son territoire d'Anatolie. Cette incrimination est tout à fait inattendue, venant de la part de la Turquie, qui, depuis 1914, n'a cessé de prendre sur son territoire toutes ces mesures notoirement connues qui ont eu pour effet de diminuer de propos délibéré sa propre population de 2,000,000 d'âmes environ, Grecs et Arméniens. Mais, en tous cas, il convient de remarquer que les chiffres donnés à cette occasion par le mémorandum turc ne correspondent pas à la réalité. Avant la dernière guerre, la population effective de la région en cause était de 3,640,000, dont 1,175,000 Grecs et Arméniens. Ces deux éléments ayant totalement, ou peu s'en faut, disparu de ces provinces, il reste 2,465,000 musulmans habitant ces territoires antérieurement à 1914 ce qui est un peu plus de ce que le mémorandum turc donne comme la population actuelle de la région, quoiqu'il semble fort douteux que le Gouvernement turc ait pu, dans les circonstances actuelles, recueillir des données exactes sur la population d'Anatolie, vu que cela lui était déjà fort difficile dans les temps normaux. Mais en admettant même que son évaluation s'approche de la réalité, il ne manquerait à l'appel que 400,000 habitants environ. Dans ces conditions, on est amené à se demander où auraient été pris les 1,500,000 musulmans massacrés par l'armée hellénique, aux dires de la délégation turque. Dès lors, il apparaît superflu d'insister sur le caractère essentiellement arbitraire des allégations contenues dans le mémorandum turc.

Il est, d'autre part, fait allusion dans ce document à des émigrations forcées des habitants musulmans. La délégation hellénique déclare formellement que jamais, durant son occupation en Asie Mineure, pareille mesure n'a été édictée ou *de facto* appliquée aux populations musulmanes. Si ces dernières ont été astreintes à des déplacements, ce fut sur l'ordre du Gouvernement et de l'armée d'Angora car, ainsi que la délégation hellénique a eu l'honneur d'affirmer dans son mémoire du 20 décembre dernier, l'armée hellénique, au cours de son avance en Anatolie, s'est constamment trouvée en présence de villes et de localités entièrement désertes et vides de mobilier de quelque espèce que ce soit. L'armée turque, avant son retrait, ordonnait systématiquement l'évacuation du territoire par la population civile.

En ce qui concerne l'estimation des dommages causés à laquelle se livre la délégation ottomane sans le moindre souci d'exactitude, il convient de signaler que le tableau I, par exemple, donne comme valeur moyenne des bâtiments détruits £T. 7,000 par habitation, soit 40,000 fr. environ. Or, pour quiconque a une notion quelque peu précise de l'état rudimentaire de la plupart des villes et villages mentionnés dans ce tableau composés, à quelques exceptions près, de constructions sommaires bâties de tuiles et dépourvues de tout luxe ou commodité, cette valeur moyenne de £T. 7,000 par habitation prouve à l'évidence dans quelle mesure l'exagération entre dans les calculs de la délégation ottomane. Pour ce qui est des établissements industriels, on connaît pour quelle part infime ils comptent parmi les facteurs économiques de cette région, dont le caractère essentiellement agricole est de notoriété publique.

La délégation ottomane impute à l'armée hellénique la totalité des destructions en Anatolie. Or, ainsi que la délégation hellénique l'a signalé dans son mémoire du 20 décembre dernier, un grand nombre de villages et de localités musulmans ont été entièrement détruits par l'armée kémaliste, soit pour avoir refusé d'obtempérer aux ordres de recrutement d'Angora, soit pour avoir recueilli sans résistance l'armée grecque dans son avance.

Il n'est pas difficile de prouver, d'autre part, que le nombre des maisons détruites donné par la délégation turque est lui-même exorbitant. D'après les tableaux I et II du mémorandum, les bâtiments détruits s'élèveraient à 160,739. En comptant donc, selon le principe admis en statistique, cinq personnes par habitation détruite il devrait y avoir en Anatolie pour les 160,739 habitations disparues, 803,695 habitants

sans abri. Or, les représentants du Comité international de la Croix-Rouge et de l'Union internationale de Secours aux Enfants, MM. Rodolphe Haccius et Henri Guenod, envoyés sur place à l'effet de secourir les populations nécessiteuses, évaluent à 180,000 environ la totalité de la population sinistrée ("Revue internationale de la Croix-Rouge," No. 47, novembre 1922, p. 970). Il est à remarquer, en preuve de l'exactitude de ce chiffre, que tous les renseignements de ces délégués sont puisés auprès des autorités turques, ce qui est dit dans le rapport même et prouvé en plus par l'identité parfaite des chiffres contenus dans le rapport susmentionné avec les chiffres donnés dans le mémorandum turc. On constatera sans doute que l'écart entre ce chiffre de 180,000 donné par des témoins impartiaux et celui de 803,695, auquel on arrive en se basant sur les données du mémorandum turc, est trop grand pour être facilement justifié.

Maintenant il serait particulièrement édifiant de constater les résultats auxquels on arriverait si, en tenant pour véridique l'estimation faite par la délégation ottomane, on essayait de l'étendre par l'application des procédés statistiques. Le total des bâtiments portés pour détruits sur les tableaux turcs s'élève à 160,739, et en comptant en moyenne cinq personnes par toit ils abriteraient 803,695 personnes. D'autre part, la valeur de ces bâtiments est estimée à £T. 658,187,267; cela revient à dire que les habitations de 803,695 habitants de l'Anatolie représenteraient une valeur de £T. 658,487,267; par conséquent, les habitations des 15,000,000 habitants de l'Anatolie chiffre donné dans le mémorandum turc représenteraient à elles seules une valeur de £T. 12,182,000,000 environ, soit près de 40 milliards de francs-or. Il est évident que si l'on estimait sur cette même échelle tous les autres éléments de richesse—valeurs mobilières de toute espèce, numéraire, titres, moyens de communication, forces hydrauliques, mines et surtout les terres de labour qui sont, comme de notoriété, le trésor de la contrée pour former, suivant les procédés en usage, ce qu'on appelle la fortune nationale du pays, on arriverait à des chiffres fantastiques. L'Anatolie, peuplée de 15,000,000 d'habitants, aurait ainsi une fortune nationale infiniment supérieure à celle de la France, estimée, en 1914, tout bien compté, à 300 milliards de francs-or, et à celle de l'Italie, s'élevant en 1912, à 85 milliards de francs-or.*

La délégation hellénique est fermement convaincue que les considérations qui précèdent suffisent à démontrer péremptoirement combien les réclamations d'indemnités formulées par la délégation ottomane sont peu légitimes et purement fantaisistes.

E 1087/1/44. **No. 146.**

Ismet Pasha to M. Bompard.—(Communicated to Foreign Office by British Delegation (No. 98); Received January 29.)

Excellence, *Lausanne, le 26 janvier 1923.*

COMME suite à ma lettre du 20 courant adressée à son Excellence M. Barrère, j'ai l'honneur de remettre sous ce pli à votre Excellence quatre tableaux relatifs aux dommages causés par les Grecs.

Les tableaux I, II et III traitent des dommages causés par les Grecs en Thrace lors de leur évacuation.

Le IVe tableau est relatif aux dommages d'ordre militaire ou sanitaire causés par les Grecs à Smyrne à la suite de destructions ou réquisitions ainsi que les dommages personnels causés aux militaires turcs.

Aux sommes figurant à ces tableaux il faut ajouter en outre une indemnité de £T. 10,000,000 due aux prisonniers et déportés civils turcs par suite de leur déportation.

La délégation turque a l'honneur de réclamer également à la Grèce le paiement des sommes susmentionnées s'élevant à £T. 48,583,329.

Veuillez agréer, &c.

M. ISMET

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* Jèze, "Cours de la Science des Finances, 1922," pp. 68 et 69.

Enclosure in No. 146.

TABLEAU I, indiquant le Nombre et la Valeur des Bâtiments, tels que Maisons, Magasins, Mosquées, Écoles, Fabriques, Moulins, &c., détruits par les Grecs lors de l'Évacuation de la Thrace.

Sandjak.	Nombre des Bâtiments détruits.	Valeur des Bâtiments détruits.
		£T.
Andrinople	332	1,381,900
Kirk-Kilisse	318	1,295,600
Rodosto	235	1,016,000
Gallipoli	72	258,800
Total ...	957	3,955,300

TABLEAU II, indiquant la Valeur des Biens meubles, tels que Mobiliers, Marchandises, Numéraires, Instruments aratoires, Céréales, &c., enlevés ou détruits par les Grecs, lors de l'Évacuation de la Thrace.

Sandjak.	Valeur des Biens détruits ou enlevés.
	£T.
Andrinople	1,026,812
Kirk-Kilisse	8,598,818
Rodosto	1,171,131
Gallipoli ...	161,279
Total ...	11,334,040

TABLEAU III, indiquant le Nombre et la Valeur du Bétail enlevé ou tué par les Grecs lors de l'Évacuation de la Thrace.

Sandjak—	Gros bœufs.	Attelés.	Mulets.	Chameaux.	Vaches.	Bœufs.	Buffles.	Moutons.	Chèvres.	Basse-cour.	Valeur.
											£T.
d'Andrinople ..	1,091	588			3,801	5,021	1,259	41,223	11,973	11,500	2,037,355
de Kirk-Kisse	1,155	1,570			6,229	8,312	2,561				2,923,560
„ Rodosto ..	2,327	1,456			7,518	11,510	2,948	52,215	6,810	810	3,585,661
„ Gallipoli	425	253	9	1	1,144	1,584	655	11,191	2,242	310	1,259,017
Total ...	4,978	3,917	9	1	18,792	30,427	7,423	104,629	21,025	15,450	9,806,595

TABLEAU IV, donnant la Valeur du Matériel militaire et sanitaire détruit ou requisitionné par les Grecs à Smyrne à la suite de leur Débarquement et des Pertes subies par les Militaires turcs du Fait des Meurtres, Vols et Pillages commis par les Grecs à la suite du même Débarquement.

	£T.
Valeur du matériel militaire et sanitaire détruit	3,030,556
Valeur du matériel militaire et sanitaire requisitionné (ce matériel a été requisitionné sous la surveillance de 87 délégués internationaux)	9,734,202
Montant des indemnités dues pour les militaires turcs dépouillés ou tués à Smyrne	632,636
Total	13,297,394

TOTAL DES QUATRE TABLEAUX.

	£T.
Tableau I	3,955,300
„ II	11,334,040
„ III ..	9,896,595
„ IV	13,397,394
Total	38,583,329

[E 1088/1/44] No. 147.

Note verbale to the Presidents of the Lausanne Conference.—(Received in Foreign Office, January 29.)

LA délégation de Russie, d'Ukraine et de Géorgie, quoique ayant été arbitrairement écartée de l'examen de la presque totalité des questions discutées à la conférence, a toujours considéré que les pays qu'elle représentait pouvaient, par la nature des choses, contribuer d'une manière efficace à la solution de ces questions. Parmi les problèmes qui n'ont pas pu être résolus à Lausanne par suite de l'exclusion de la Russie et de ses alliés peut être mentionné celui du sort des populations arméniennes.

La délégation de Russie, d'Ukraine et de Géorgie, malgré l'indignation soulevée dans les pays qu'elle représente par la position anormale qui lui a été faite à Lausanne, juge nécessaire de porter à la connaissance de MM. les présidents de la conférence que les Gouvernements de la Russie et de l'Ukraine se proposent d'installer sur leurs territoires respectifs un nombre considérable d'émigrés arméniens, dont le chiffre est encore à établir. Les détails de cette installation devront faire l'objet de négociations spéciales entre les Gouvernements précités et les représentants qualifiés des Arméniens. La délégation de Russie, d'Ukraine et de Géorgie croit devoir ajouter qu'elle a informé de ce qui précède la Mission américaine à la Conférence de Lausanne et les milieux intéressés.

Délégation de Russie, Ouchy-Lausanne,
le 27 janvier 1923.

[E 1077/1/44] No. 148.

The Marquess of Crewe to the Marquess Curzon of Kedleston.—(Received January 29.)

(No. 213.)

My Lord, *Paris, January 28, 1923.*

WITH reference to your despatch No. 321 of the 26th January, I have the honour to inform your Lordship that I attended the diplomatic dinner at the Quai d'Orsay yesterday evening, and was able to have some informal communication with the President of the Council on the subject.

2. I told M. Poincaré that, in the unfortunate event of a complete break-down of the negotiations with Turkey, and the consequent failure to secure the signature of the treaty, it was probable that your Lordship might address the French Government with a reminder of the declaration signed in London on the 30th November, 1915, providing that no separate peace would be signed without agreement between the Allies. Happily no such stage had yet been reached, but, in view of all the possibilities, you were anxious to let the French Government know in good time of the step which you might find it necessary to take. Of course I did not expect him to give any immediate reply, or even to express any opinion in this purely preliminary conversation.

3. The President of the Council expressed himself as greatly obliged by your Lordship's consideration in indicating thus early what might possibly occur. I had suggested that you did not entirely despair of the signature of the treaty after some delay, and he was in the same position, though the situation was certainly serious. He had telegraphed that day to the French representative at Angora, in order to urge the Turks not to come to any hasty conclusion. You had thought, earlier, that there would be no particular advantage in sending General Pellé to Angora, and I gather,

though he did not say so explicitly, that he would be prepared to arrange for such a mission now if the Turks engaged in a discussion of the terms of the treaty.

4. On the question of repeating the declaration of the 30th November, 1915, he clearly could say nothing without consulting his colleagues, but he would just observe that the Convention of Angora placed the French Government in a somewhat different position from ours, though it must be borne in mind that that convention was in no sense a peace. I thought it better not to make any observations about the convention, so merely said the important fact at this moment is that the convention is not a peace.

5. M. Poincaré went on to say that he did not anticipate any rapid developments, as he believed that the Turks would begin by asking for time to consider the proposals. If they should remain obdurate, and end by complete refusal, he would wish to discuss the then situation with your Lordship or with myself, and he would certainly not take any step without full warning.

6. I hope that I may be wrong, but my prognosis of the probable attitude of the French Government in the event of an entire collapse of the treaty is distinctly unfavourable. M. Poincaré seemed to imply that the declaration had been made a long time ago, and it may be expected that the French will point to the phrase "Au cours de la présente guerre," and say that we are now in the fifth year since the conclusion of the armistice with Turkey, thereby implying that the declaration has lost much of its force. This would be a departure from the purely logical habit to which we are so much accustomed, but it might be taken. Moreover, even without going the whole length of engaging in a separate peace, it would be possible for the French to engage in arrangements with the Turks which would amount to something of the same kind, and be very prejudicial to us. But it is only right to add that the President of the Council volunteered the observation that, after our failure to agree about the French advance on the Rhine, it would be a serious misfortune should we find ourselves also apart on the Turkish question.

I have, &c,
CREWE.

No. 149.

The Marquess Curzon of Kedleston to Mr. Lindsay.—(Received January 29.)

(No. 241.) By Bag.
(Telegraphic.) *Lausanne, January 27, 1923.*

AT afternoon sitting to-day M. Bompard, replacing M. Barrère as chairman of Third Commission, took the reports of the four sub-committees attached to that commission. They were: (1) Sanitary, (2) Economic, (3) Commercial Régime, (4) Financial. Upon each of these the Allies submitted the text of articles to be inserted in draft treaty. Some of these were new, the result of the latest concessions agreed to by the Allies under the remorseless pressure (*a*) of the French and Italian delegations, (*b*) of time. The rest were matters that had been debated scores of times in the sub-committees and in many cases agreed to by the Turks. Nevertheless, on each they pursued the invariable tactics—reservations, protests, refusals, appeals. It would be futile to describe the course of the discussion, which lasted for three and a half hours. The only result was to confirm opinion of everyone present, including even the French, that debates, and even conversations, are useless, and that we must put what we think best in the text and hand it in for acceptance or refusal. For the mentality of the Turks is such that even at the last moment they prefer to argue and refine upon the minutest detail sooner than appear to yield. Those who know them best, including themselves, regard this as a stereotyped feature of the game, which must be played according to rule. The result can only be to multiply a hundredfold the contents of the treaty, which according to all logic they will be compelled to reject with scorn, but which, nevertheless, many people here, including probably a section of their own delegation, think they will ultimately be found to accept.

In this fantastic fog of make-believe and pretence is being spent the last week of my melancholy sojourn at Lausanne.

No. 150.

Mr. Henderson (No. 54) to the Marquess Curzon of Kedleston.—(Repeated to Foreign Office; Received January 29.)

(No. 43.)
(Telegraphic.) *Constantinople, January 28, 1923.*

GENERAL Officer Commanding's telegram to War Office repeated to Lausanne in my telegram No. 53.

From a military point of view it seems undoubtedly true that our best policy in the event of rupture at Lausanne would be to withdraw to Gallipoli as General Harington suggests. I cannot but regard our position here, with the Allies, on whom we cannot count in an emergency, as fundamentally weak. In the Straits we would be building on a rock, and in Constantinople we are building upon sand.

Threat of our departure from Constantinople in order to settle down more solidly in Gallipoli might even bring Turks to reason. It might, moreover, forestall demand for evacuation from Turks, which we would have to refuse, and which, since Turks in their turn would probably have to try and enforce it, would seem prelude to war.

If serious hostilities break out we retire in any case to Gallipoli, and we should be doing under force what we would now be doing voluntarily. Moreover, if we remain here and are attacked, Greeks will move to our assistance, and we should be placed under awkward and regrettable obligation unless the whole Near East settlement is to be again completely revised.

Withdrawal to Gallipoli would leave us free hand, independent of our allies, and thereby strengthen our initiative and force of our arguments with Turks.

Risk of incidents leading to hostilities which could otherwise be avoided is largely diminished by reduction of main points of contact in this town and Ismid Peninsula. Whereas from Gallipoli, whence we could not be driven, we could remain indefinitely and dictate our terms. It is position whence blockade which might result from appeal to League of Nations could be most easily exercised.

Threat of withdrawal might also be used effectively with regard to our allies, neither of whom would appreciate remaining here without us, and who, to avoid this alternative, might support us more whole-heartedly.

Importance from point of view of minorities and British prestige of remaining in Constantinople, though doubtless very great, appears less now than a few months ago. Massacres are less likely if we withdraw quietly than if we withdrew after fighting had taken place in the town.

Moreover, Turks may shrink from action calculated to precipitate advance of Greeks across Maritza on grounds of humanity, which the Allies could not disapprove.

Withdrawal only to take up more advantageous position whence we can speak with greater force and authority does not seem to me altogether derogatory to our prestige. I do not believe that French could make capital out of such withdrawal, as hollowness of such manœuvre would be too obvious to gain credence with anyone. It would be clear that we had withdrawn because we could not count upon French.

For above reasons I admit that General Harington's proposals offers the best prospect of ultimate peaceable solution if and when Lausanne negotiations are broken off. I recognise, however, seriousness of abdication which such decision would appear to indicate, and obvious objection which will be raised thereto. But if hostilities are to be feared it would be preferable that British forces should be withdrawn to Gallipoli before they actually break out.

No. 151.

The Marquess of Crewe to the Marquess Curzon of Kedleston. (Received January 29.)

(No. 107.) [By Bag.]
(Telegraphic.) *Paris, January 28, 1923.*

MY despatch No. 213.

"Temps" this evening has leading article on Lausanne Conference which is distinctly hostile. Blame for breakdown is laid on England, "who does not appear to desire peace," and there is an underlying suggestion that difficulties of

negotiations have been due to your Lordship. Article goes on to suggest that Turkey desires peace, and expresses opinion that Turkey cannot afford, as regards Mosul, "to leave a portion of the Kurdish race under a British protectorate."

As regards France, article remarks that France called attention a long time ago to the danger of disagreement, and that she cannot allow her interests to be sacrificed to ambitions and aims to which she is a stranger. Article concludes with a statement that of course if no agreement is signed, it is understood that each party will resume entire liberty of action.

Same paper reports that M. Poincaré received M. Franklin-Bouillon this morning.

"Débats," on the other hand, describes the Turks as "plus intransigeants que jamais."

Text of "Temps" article goes to you by bag

No. 152.

Mr. Bentinck to Mr. Lindsay.—(Received January 29.)

(No. 50.)
(Telegraphic.) *Athens, January 29, 1923.*

Mr. HAROLD SPENDER, who has seen almost all the leading personages, received promise from Minister for Foreign Affairs that Greeks would not attack Turks without sanction of Allies. General Pangalos is, however, uncertain factor.

Extreme depression exists at idea of Lausanne Conference breaking up without a decision. Greeks must have peace or war: an armed peace would be intolerable. Colonel Plastiras's visit reported also to be connected with this question (see my telegram No. 43).

(Repeated to Lausanne.)

No. 153.

Mr. Henderson (No. 57) to the Marquess Curzon of Kedleston.—(Repeated to Foreign Office; Received January 29.)

(No. 44.)
(Telegraphic.) *Constantinople, January 29, 1923.*

IN the event of His Majesty's Government deciding, as result of deadlock at Lausanne, and in view of military considerations, to adopt General Harington's proposal for withdrawal of military forces to Gallipoli, I would propose to evacuate simultaneously British colony here, on the ground that if hostilities broke out it would probably be impossible to evacuate it later.

If French and Italian High Commissioners remain after departure of British forces, would you approve of my stopping in Constantinople with small nucleus staff?

In spite of risk involved, I am personally inclined to think that, provided war be not certain, that it is worth taking, in view of importance in the interest of peace of retaining link here. Presume some British warships would remain after departure of troops, and I should be able to arrange to get away if hostilities actually broke out

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No. 154.

The Marquess Curzon of Kedleston to the Marquess of Crewe (Paris).

(No. 48.) [By Bag.]
(Telegraphic.) *Foreign Office, January 29, 1923.*

AIR Officer Commanding in Irak has received information that the Turks are repairing the road from Nisibin to Demir Kapu, and has expressed apprehension that Turks may be contemplating an attack on Irak through French mandatory territory

Please enquire of French Government whether they have any information confirming this report or indicating that the Turks are repairing roads or railways of which use might be made for an attack on British mandatory territory. You should add that His Majesty's Government are mindful of the formal assurance contained

in the note addressed to me by M. de Montille on 17th November, 1921, to the effect that the French Government could in no case contemplate the hypothesis of any facility being given to them by hostile designs directed against British mandatory territory. They therefore feel that they can confidently rely on the French Government taking immediate and effective measures to prevent any possibility of Turkish forces crossing the northern part of French Syria, especially the salient Nisibin-Jeziret-Rumelan, as well as withholding any railway facilities elsewhere. And they would be grateful for any information that may reach the French authorities in Syria, indicating Turkish military preparations or concentration of troops.

No. 155.

Mr. Lindsay to the Marquess Curzon of Kedleston (Lausanne).

(No. 151.)
(Telegraphic.) D. *Foreign Office, January 29, 1923.*

YOUR telegram No. 240 of 27th January: War graves.

Colonial Office communicate following telegram from Prime Minister of Australia

"Attitude of British and Allied delegates in absolutely refusing to consider Turkish demands is most strongly approved by Commonwealth. Commonwealth Government desires to make it quite clear that in no circumstances can it assent to any of Turkish demands *re* Anzac graves. Should Turkish delegation prove so unreasonable as to insist upon attempting to inflict this indignity upon Australia, it ought to be made perfectly clear to them that Australia will regard it as a *casus belli*. I do not doubt that a solid, unyielding front by Allies is all that is necessary to induce Turks to recede from position they have taken up towards Gallipoli cemeteries. This we firmly believe we can rely on. But if unhappily it fails, we desire to make it quite clear that Australia cannot give way in this matter."

E 1178 1 44 No. 156.

Summary of Articles of Peace agreed to between the Allied Powers and Greece which will be presented to the Turkish Delegation on Wednesday, January 31.—(Communicated by the Marquess Curzon of Kedleston, Lausanne, January 28; Received in Foreign Office, January 30, 1923.)

I.—*Frontiers of Turkey.*

(a.) *In Europe.*

TURKEY in Europe will be bounded on the north by the Bulgarian frontier as laid down by the Treaty of Neuilly, and on the west by the left bank of the Maritza.

Opposite Adrianople, in order to provide access to the main railway, a strip of territory on the right bank of the Maritza, including the bridge and the small branch line, will be ceded to Turkey between the river and Karagatch

A zone of territory to an average depth of 30 kilom. on each side of the frontier of Turkey in Europe will be demilitarised.

Turkey will renounce all rights and title over all the islands (except Imbros and Tenedos, which will be given to her subject to the grant of local autonomy). The following islands will be demilitarised: Samothrace, Imbros, Tenedos, Lemnos, Mitylene, Chios, Samos and Nikaria.

(b.) *In Asia.*

The frontier with Syria will be that already agreed to between France and Turkey.

The frontier with Irak is to be left to the decision of the Council of the League of Nations.

The eastern frontiers of Turkey in Asia are not dealt with.

Turkey will renounce all rights and title over Syria, Palestine, Irak, the Hedjaz, the Arabian Peninsula, Egypt, the Soudan, Libya and Cyprus.

II.—*The Straits.*

A special Straits Convention attached to the treaty will contain the following provisions:

Absolute freedom of passage for ships of commerce in time of peace, and in time of war when Turkey is neutral. When Turkey is a belligerent, free passage for neutral ships of commerce, Turkey retaining the right of visit and search.

Right of passage for warships in time of peace, subject to the condition that the maximum force of any single Power shall not exceed that of the strongest fleet of any Black Sea Power; the Powers will, none the less, retain the right in any case to send into the Black Sea a force not exceeding three vessels of war, none of which shall exceed 10,000 tons. In time of war, when Turkey is neutral, right of passage for unlimited naval forces of belligerents, subject to the prohibition of acts of war within the waters of the Straits. When Turkey is a belligerent, free passage for neutral ships of war under the same conditions as in time of peace. Turkey may, however, take steps to prevent the passage of enemy warships.

Demilitarised zones will be created on both sides of the Dardanelles and Bosphorus, within which Turkey shall be allowed no regular forces, except at Constantinople, and no fortifications.

No permanent gun or torpedo batteries capable of interfering with the passage of the Straits shall be erected on the European shore of the Marmora or on the Asiatic shore between the demilitarised zone and Darije.

A Straits Commission shall be constituted under the chairmanship of the Turkish representative, and composed of representatives of France, Great Britain, Italy, Japan, Bulgaria, Greece, Roumania and Jugoslavia. Russia shall also be admitted if she signs the convention. The United States can be represented if they desire. The commission shall have the duty of seeing that the clauses regarding the passage of warships are duly observed. It will exercise its mission under the auspices of the League of Nations.

In order to reassure Turkey that the freedom of the Straits shall not be exploited to her disadvantage, the signatory Powers, "and, in any case, France, Great Britain, Italy and Japan," undertake that they will jointly prevent "by every means which the Council of the League of Nations shall decide" any violation of the Straits Convention or any act of war liable to imperil the freedom of the Straits.

III.—*Constantinople.*

In order to provide for the security of Constantinople, Turkey shall be allowed to maintain a garrison there of 12,000 men and an additional garrison of 8,000 in Eastern Thrace. The Turkish fleet will be allowed to cruise and anchor in the waters of the Straits and Turkey shall be allowed to possess naval bases and arsenals.

IV.—*Naval and Military Clauses.*

Apart from the above restrictions on the Turkish regular forces in Thrace and Constantinople, no military or naval clauses will be imposed. Adequate arrangements are inserted in the treaty for the reciprocal exchange of such prisoners of war as are still retained.

V.—*War Graves.*

Turkey shall grant to the Allied Powers full rights over the sites of all cemeteries and memorials, and pledge herself to respect them. She shall in particular grant to the British Empire the area on the Gallipoli Peninsula where the Anzac cemeteries are situated.

VI.—*Capitulations.*

The Capitulations are abolished. A convention is annexed to the treaty dealing with the future régime for foreigners in Turkey. This convention is divided into four chapters.

The first chapter deals with the conditions under which subjects of the contracting Powers shall have access to and be entitled to reside in Turkey. In their main lines these conditions are similar to those prevailing in European countries generally. No special privilege is claimed for Allied subjects.

The second chapter consists of five clauses dealing with fiscal matters. The object of these is to assure to British subjects of the contracting Powers the same treatment as that extended to Turkish subjects. No special treatment is demanded for Allied subjects except exemption from compulsory loans.

The third chapter deals with judicial matters. It lays down general principles designed to secure for Allied subjects the protection of the Turkish courts, which are to have jurisdiction over them in all matters except matters of personal status, which will be referred to the national courts of the parties, unless the parties themselves wish to take them before the Turkish courts.

The fourth chapter consists of a single article dealing with Allied religious, scholastic and charitable institutions. This article provides that there shall be no interference with the free working of existing establishments of this kind, the Powers reserving to themselves the right to make special arrangements with the Turkish Government regarding the creation of new establishments. It further lays down that these institutions shall be subject to Turkish law on the understanding that the special character of the institutions shall not be thereby impaired.

Annexed to this convention is a draft declaration which the Turkish Government has been asked to issue in the form of an unilateral Act. The object of this declaration is to provide special safeguards for the person and property of subjects of the contracting Powers in Turkey for a transitional period of five years, during which it is hoped that Turkey will be able to reorganise her legislative system and judicial administration sufficiently to make any special safeguards unnecessary after its expiration. The arrangements proposed in the draft declaration have been devised with the object of completely protecting the principle of Turkish independence even during the transitional period. It is proposed to incorporate in the Turkish judiciary a special element to be composed of "conseillers légistes" selected by a board appointed by the Turkish Government itself and consisting of two high officials of the Turkish Government and three judges of the Permanent Court of International Justice. These "conseillers légistes" would be attached to the courts of Constantinople, Smyrna, Samsoun and Adana, as well as to the Courts of Appeal and the Court of Cassation. They would sit on the bench with the Turkish judges in cases concerning Allied subjects, the presence of at least one "conseiller légiste" being required in the lower courts and a majority in any court judging a case in the last resort. The draft declaration also provides that warrants for arrest or for domiciliary visits in the case of Allied subjects shall not be issued in the places of residence of the "conseillers légistes" without being counter-signed by one of these officials, and that Allied subjects arrested elsewhere shall have the right to demand to be sent within forty-eight hours before one of the "conseillers légistes" in the nearest place where they reside. The draft declaration further provides that the Turkish Government shall set up an Advisory Committee composed of Turkish officials and the "conseillers légistes" attached to the Courts of Appeal and Cassation to elaborate such reforms as may be necessary to bring the legislation, judicial organisation and prison system of Turkey into conformity with modern conditions.

VII.—*Minorities.*

(*a.*) Full protection of life and liberty and freedom of worship for all inhabitants of Turkey without distinction of language, race or religion; enjoyment by non-Moslem Turkish nationals of the same civil and political rights as Moslems; equality before the law of all inhabitants of Turkey without distinction of religion; freedom of all non-Moslem minorities to use their own language in their private intercourse or in commerce, as well as regards religion, the press and public meetings; Turkish nationals speaking a language other than Turk to use their language orally in the courts; non-Moslem minorities to possess the same rights as other Turkish nationals to found and maintain charitable, religious or social institutions and schools, and to be given special facilities as regards public instruction in towns and districts where such minorities reside in considerable numbers; Turkey to take with regard to non-Moslem minorities all measures permitting them to regulate questions of family or personal status according to their usages, such measures to be elaborated later by special commissions composed in equal numbers of representatives of the interested minorities with an arbiter chosen from European jurists by the League of Nations and Turkey in agreement; protection of all churches, synagogues, cemeteries, &c., and facilities for pious foundations and religious and charitable establishments belonging to existing non-Moslem minorities in Turkey; freedom of internal move-

ment and emigration for non-Moslem minorities, subject to certain reserves relating to good order.

All the above articles to be regarded by Turkey as fundamental laws of Turkey and to be placed under the guarantee of the League of Nations by an article similar to that guaranteeing all European minority treaties.

All action taken under the auspices of the Allies since the armistice up to the 20th November, 1922, for the recovery of women and children and the restitution of property wrongfully seized from the non-Moslem minority populations to be validated by the Turkish Government, subject to arbitration in contested cases by representatives of the Red Cross and Red Crescent.

A reciprocal amnesty declaration to be attached to the treaty, whereby all inhabitants of Turkey and Greece will be pardoned for their military and political conduct, or for assistance given to any other signatory of the treaty or its nationals between the 1st August, 1914, and the 20th November, 1922, subject to certain specified exceptions by Turkey as regards Moslems. An amnesty for political acts between the 1st August, 1914, and the 20th November, 1922, to be similarly given by Turkey to nationals of the new States, and the Greek and Turkish Governments to give full amnesty for all crimes and offences committed during the above period in manifest connection with the political events of that period.

(*b.*) Annexed to the draft treaty is a separate convention between Greece and Turkey providing for the exchange of the Greek population of Turkey, excepting Constantinople, and the Moslem population of Greece, exclusive of Western Thrace This is to begin in May and is to be effected on a compulsory basis. The exchange will be carried out under the control of a Mixed Commission of Turks, Greeks and three neutral representatives to be nominated by the League of Nations. The commission will also be in charge of the liquidation of all property left behind by the persons affected by the exchange. The liquidation will be retrospective in order to include the property of Greeks and Moslems who have left Turkey and Greece respectively since September 1912. Another separate Græco-Turkish Agreement, independent of the Peace Treaty, provides for the return of Turkish civil hostages removed from occupied territory by the Greek authorities and for the exchange of prisoners of war

VIII.—*Economic Clauses.*

(a.) *Taxation of Foreigners in Turkey.*

The Capitulatory régime is terminated. Allied subjects in Turkey are to receive as regards taxation treatment not less favourable than that granted to Turkish subjects.

This arrangement is reciprocal, and is to remain in force for ten years.

(b.) *Future Commercial Régime.*

The Capitulatory régime is terminated. By a commercial treaty, which is to form part of the peace settlement, Turkey and the Allies agree that, subject to the Allied Power concerned giving most-favoured-nation treatment to Turkey, the tariff on importations into Turkey for five years will be the Ottoman specific tariff of the 1st October, 1916, payable in Turkish money.

In view of the depreciation of Turkish money since 1916 from £T. 110 to about £T. 800 to 100*l.* sterling, coefficients of increase have been applied to this tariff. The existing coefficients are 5 for certain articles and 12 for other articles.

The articles now subject to the coefficient of 5 are to remain subject to that coefficient. A fresh list of articles now subject to the coefficient of 12 has been made subject to the coefficient of 8, which approximately corresponds to the depreciation of the Turkish £, and the remainder of the articles are to be left subject to the present coefficient of increase of 12; these coefficients are to remain in force until the alteration in the value of the Turkish £ exceeds 30 per cent., when the coefficients would be modified accordingly, except that the coefficient of 5 would not be reduced below 5.

(c.) *Navigation.*

It is provided that most-favoured-nation treatment or national treatment, whichever may be the more favourable, shall be given to the ships of the Allied Powers, subject to reciprocal treatment being given by those Allied Powers; and that no discrimination of any kind is to be exercised against the import or export of merchandise on account of the flag of the ship in which the goods are carried.

(d.) *Industrial Property: Future Arrangements.*

The clauses provide that Turkey is to take all necessary steps to prevent unfair competition, and to adhere to certain international conventions for the protection of industrial property.

(e.) *Debts.*

Provision is made for the payment of pre-war debts due in Turkish currency between Turkish nationals resident in Turkey at the beginning of the war, on the one hand, and Allied nationals resident in Allied territory, on the other hand, in Allied currency at the pre-war rate of exchange.

(f.) *Property, Rights and Interests.*

Provision is made for the reciprocal restoration of enemy property in Turkey, as fixed by the treaty, on the one hand, and in Allied territory, on the other, and for the fixing and payment of damage suffered by companies, other than Allied companies, controlled by Allied nationals, in respect of their property in Turkey. (These claims are not dealt with in the reparation clauses.) This provision will apply to companies registered in Turkey, by which almost all concessions in Turkey are held

(g.) *Mixed Arbitral Tribunal.*

An arbitral tribunal is to be set up for settlement of disputes between Turkish nationals and the nationals of an Allied Power which may arise under various provisions of the economic clauses.

(h.) *Contracts.*

The clauses provide for the maintenance of certain specified categories of pre-war contracts between enemies, and for the general rule of cancellation of other pre-war contracts between enemies, subject to payment of compensation in certain cases. Judgments given during the war by Turkish courts, or decisions of Turkish administration authorities, regarding matters in respect of which they were not competent, on the 1st August, 1914, against a national of an Allied Power or against a company in which Allied interests are preponderant, are to be subject to review by a mixed arbitral tribunal. Any compensation awarded is to be paid by Turkey.

(i.) *Concessions.*

Allied nationals and companies in which Allied interests are preponderant are to be restored to their rights under concessions granted before the 1st August, 1914 The duration of the concession is to be prolonged by a period equal to the duration of the war, and the terms of the concession are to be revised so as to accord with present economic conditions, if possible, by agreement between the concessionnaire and the Turkish Government, and, in default of agreement, by arbitration. Agreements made between the Ottoman Government and concessionnaires since the 30th October, 1918, are confirmed. Legislative or other provisions enacted since the 1st August, 1914, which are prejudicial to the rights of concessionnaires are declared null and void.

(j.) *Industrial Property: Settlement of Past Transactions.*

These clauses provide for the reciprocal restoration of rights to industrial property in Turkey and in Allied territory, subject to licences granted during the war, and (among other points) for the recognition of the registration and transfer of patents and trade-marks during the Allied occupation.

(k.) *Sanitary Clauses.*

The sanitary clauses of the draft treaty provide for the creation of a mixed commission for the Straits, composed of a Turkish president and three experts chosen from a panel of six to be recommended jointly by the Health Committee of the League of Nations and the International Health Office in Paris. This commission will, during a period of five years, replace, for sanitary purposes connected with the Straits, the former International Board of Health which sat in Constantinople up to 1914. The clauses further provide for equality of treatment under the sanitary tariff between foreign and Turkish ships and persons, for the liquidation by a special international commission of the outstanding affairs of the old Board of Health, and

for collaboration between Turkey and the other interested Powers in the sanitary supervision of pilgrims to the Hedjaz and Jerusalem in conformity with the appropriate international conventions.

IX. *Finance.*

(a.) *Distribution of the Pre-War Ottoman Public Debt.*

The loans issued by Turkey prior to the Balkan wars (the 17th October, 1912) are to be divided between Turkey and the Balkan States, in favour of which Turkish territory was detached after the Balkan wars; Turkey's share of the pre-1912 debt, together with the debt incurred between 1912 and the 1st November, 1914, is to be divided between Turkey and the States in favour of which territory is detached under the present treaty.

The portion of the annuities required for the service of the various loans for which each territory is responsible will bear the same proportion to the total debt annuities as the revenue of that territory in the financial years 1910–11 and 1911–12 bore to the total revenue of Turkey.

The capital of the debt may be divided on the above basis subject to the consent of the bondholders

The annuities payable by the Balkan States which acquired Turkish territory under the treaties which ended the Balkan wars will be payable from the date of those treaties, while the annuities payable by the States in favour of whom Turkish territory is detached under the present treaty will be payable from the 1st March, 1920 The arrears of annuities are to be spread over twenty years.

Provision is made for maintaining and safeguarding the rights of the Ottoman Debt Administration and Turkey's pre-war creditors.

(b.) *Reparation.*

As a final settlement of the claims of the nationals of the Allied Governments (other than Greece) against the Turkish Government for loss and damage suffered during the war and of Turkish counter-claims, Turkey is to pay a sum of £T. 15,000,000 gold (equivalent to approximately 14,250,000*l.* at present rates of exchange).

Greece and Turkey mutually renounce any reparation claims.

The sum of £T. 15,000,000 gold is to be paid off with interest at 5 per cent. by means of thirty-seven annuities of £T. 900,000 gold.

Five per cent. bearer bonds (to be called "Liquidation Bonds") are to be issued by the Turkish Government, the service of which will be met from the annuities. These bonds will be distributed to those Allied nationals who have suffered damage.

(c.) *Miscellaneous.*

The Allied Governments waive any claim against Turkey for the debts due by Turkey to Germany and the other ex-enemy Powers which were transferred to the Allies by the treaties of peace with the Powers concerned.

The sums in gold which were deposited in Berlin and Vienna in connection with the first issue of Turkish currency notes and were transferred to the Allied Powers by the treaties with Germany and Austria are to be returned to Turkey in instalments in five years, but will in the meantime be held as a guarantee for the discharge of Turkey's obligations in respect of reparation.

The Turkish Government recognises and will carry out the financial arrangements made by the Constantinople Government prior to the 1st November, 1922

No. 157

The Marquess Curzon of Kedleston to Mr. Lindsay. —(*Received January* 30.)

(No. 243.) By Bag.
(Telegraphic.) *Lausanne, January* 28, 1923.

QUESTION of disposal of Constantinople wireless stations (see correspondence ending with War Office letter to Foreign Office of 8th January) has been discussed with military and other experts here.

Following instructions should be sent to General Harington, provided War Office concur:—

"In event of evacuation of Constantinople under pressure from Turks or in circumstances amounting to retirement under pressure, stations at Ok Meidan and Osmanie should both be dismantled.

"In event of peaceful evacuation following on signature of treaty, Ok Meidan station will be in same category as other Turkish war material in possession of Allies. In my note to Ismet Pasha of 24th January I informed him, with concurrence of French and Italians, that all such material is at free disposal of Allies.

"In same event Osmanie station will come under article in economic clauses of treaty under which Reparation Commission can call upon Turkey to liquidate station and pay over proceeds to commission. As, however, destruction of station would be undesirable in conditions of peaceful evacuation, it should, when time comes, be handed over to Turks, but it should be stated in writing that it is not Turkish property, and will be disposed of by Allies under relevant provisions of Peace Treaties.

"These instructions as to disposal in event of peaceful evacuation are provisional and may require revision in light of future developments."

(Repeated to Constantinople in cypher.)

No. 158.

The Marquess Curzon of Kedleston to Mr. Lindsay.—(*Received January* 30.)

(No. 246.)
(Telegraphic.) *Lausanne, January* 29, 1923

FOLLOWING for Prime Minister and War Office:—

"I hope no action will be taken for moment on General Harington's and Mr. Henderson's telegrams from Constantinople, Nos. 53 and 54, which are written on an imperfect appreciation of events here. It is possible, but unlikely, that Turks will absolutely refuse, and that rupture with consequent resumption of hostilities will forthwith ensue. We have reason to believe that Ismet Pasha is much perturbed as to situation, into which mistaken tactics of his delegation have forced him, and it may very well be that before I leave on Friday night situation may change. In any case, he is more likely to leave with a view to further consideration than to declare immediate breaking off. In these circumstances, I see no need to dissociate ourselves from our allies at Constantinople, or to arrange for a solitary and abrupt departure from that position. If further attacks are made upon British soldiers it is always open to Harington to declare martial law. Present is not the moment for a display of nervousness or for premature retreat. I shall be in a position to give His Majesty's Government fully considered advice in three days' time, but meanwhile I would deprecate either hasty judgment or precipitate action. Sir H Rumbold concurs in this telegram."

(Repeated to Constantinople, No. 83.)

No. 159.

The Marquess of Crewe to the Marquess Curzon of Kedleston.—(*Received* January 30.)

(No. 111.) [By Bag.]
(Telegraphic.) *Paris, January* 29, 1923.

AFTER reading M. Herbette's article on the Lausanne Conference in last night's "Temps," reported in my telegram No. 107, I took steps to endeavour to have sounder views expounded in the "Echo de Paris," and in this I have been successful, for "Pertinax" writes a very sound article on the subject in to-day's issue of that journal. He observes that the opinion of French citizens in Turkey is unanimous in considering that the régime to be established in the draft treaty as it stands at present signifies the more or less immediate disappearance of French material and

moral interests in the East. Many such Frenchmen declare that all they can do is to leave Turkey. The Angora Nationalists, moreover, who declare that they have defeated the *Entente* as well as Greece, set no limit to their pretensions, and in all probability are preparing to reject even the draft which is to be submitted to them. In reality it is not at Lausanne that the game was lost, but in the East during September and October, when the fatal blow was struck whereby the French abandoned the neutral zone to the south of the Straits, then the Straits themselves, and finally Eastern Thrace, the possession of which, up to the conclusion of peace, constituted the sole guarantee for the moderation of the Nationalists. This surrender produced fatal consequences. Of course, he observes, the Parisian Turcophiles, responsible in so large a measure for the events of September and October, do not hesitate, in order to whitewash Angora and Mosul, to throw on to the London Cabinet in general, and your Lordship in particular, the entire responsibility for the breakdown of Lausanne. "Pertinax" proceeds to state that he never omitted to criticise the Eastern policy of Mr. Lloyd George, but that he really fails to see what reproach can be levelled against Mr. Bonar Law and His Majesty's present Government in regard to the East. At the time when Anglo-French relations are undergoing a perhaps decisive test on the Rhine, it was deplorable that the accusations of the Young Turks and the Bolshevists against London should be taken up by Frenchmen. In Turkey the conflict had for a long time past been, not between France and England, but between East and West. M. Barrère had, to the best of his ability, endeavoured to cause counsels of good sense to prevail and he had served France at Lausanne, as elsewhere, with farsightedness and courage, but to-day France was represented by M. Bompard, whose weak judgment and character had been so harmful in 1914 at Constantinople, as they had been previously at St. Petersburg. Six weeks before war broke out France had, at his instigation, given to the Young Turks 500 million francs, not seeing that they would automatically fall into Germany's pockets. M. Bompard had forgotten everything and learnt nothing.

"Hervé," who is often inspired by M. Millerand, in the "Victoire," expresses astonishment at the blindness of the Turks, and declares that if they refuse to sign the treaty they will be abandoned by France, who has done her utmost on their behalf, without breaking with England, and that they will end by delivering Eastern Thrace definitely over to the Greeks with Constantinople itself. The British fleet, mistress of the Straits, will prevent their passage from Asia into Europe, thus enabling the Greek army to enter Adrianople and Constantinople almost without firing a shot. If the Turks do not sign peace at Lausanne they can say good-bye to Constantinople and to Europe.

Henri Bidou, in the "Figaro," declares that the draft treaty is full of snares, is extremely dangerous for the Western Powers, and delivers over the Christian minorities to the Turks to persecute at their will. It seems incredible that the Turks should not be satisfied with such conditions and that they should break over the question of Mosul, where their rights are so highly contestable. The reason for that attitude is not only the fact of their victory over the Greeks, but the fact of the weakness of Allied diplomacy. British intrigues contributed to that result as much as the unfortunate concessions of the French.

Saint-Brice, in the "Journal," deplores reference of Mosul to the League of Nations, and declares that England thereby risks either provoking a general conflict or bringing about the downfall of the League itself.

M. Philippe Millet writes contemptuously of M. Bompard in "Paris-Midi," and M. André Tarlieu's organ, the "Echo national," announces that M. Poincaré is again using M. Franklin-Bouillon as an intermediary between himself and Mustapha Kemal, and that M. Franklin-Bouillon has appealed to the latter to show proof of his friendship for him by signing the treaty. That friendship, the "Echo national" declares, nearly caused England and France to quarrel, lost France the advantages she derived from the Capitulations, opened up the Syrian frontier and brought the Russians to Lausanne.

Herbette returns to the charge in this evening's "Temps," and advocates what is practically peace at any price in the East. He declares that he will not be contradicted by the French Government when he states that the draft treaty given to the Turks does not constitute "the last word" of the Allies, but merely forms a basis for further discussion. No insoluble question separates France from Turkey, and the French Government should make a declaration to that effect.

No. 160.

Mr. Henderson to Mr. Lindsay.—(Received January 30.)

(No. 47.)
(Telegraphic.) *Constantinople, January 30, 1923.*

I HEAR from a sometimes well-informed source that after final secret session held yesterday morning Grand National Assembly decided that war must at all costs be avoided, that Kemal has been advised that he need not return to Angora, and that Ismet has been instructed to ask for adjournment rather than accept rupture of conference, and to give undertaking, if necessary, to refrain from military action of any sort during adjournment.

This information is borne out by what would appear to be inspired communiqué in semi-official "Vakit" this morning, issued apparently to reassure public, which states that, in spite of reports to the contrary, Kemal is continuing his journey according to original programme. This is regarded as clear indication that, even if conference comes to an end, peace will be preserved by other means. Communiqué refers to above-mentioned secret session and [group undecyphered] telegram to Kemal, and states that new situation has arisen as a result of reported willingness of your Lordship to submit Mosul question to arbitration rather than to League of Nations.

(Sent to Lausanne, No. 61.)

No. 161.

The Marquess Curzon of Kedleston to Mr. Lindsay.—(Received January 30.)

(No. 248.)
(Telegraphic.) R. *Lausanne, January 30, 1923.*

FOLLOWING for India Office:—

"I hope opportunity will not be lost of telegraphing to India in full and securing publicity there for refusal of Turkish delegation, twice repeated in sub-commission and again before full commission, to restore treasures taken by Turkish armies under Fakhry Pasha in 1917 from tomb of the Prophet at Medina. These objects were in part gift of Indian Moslem princes, and Indian pilgrims were carried out under a solemn public pledge that they should be returned after the war. Turks now claim to retain them on plea that they were given to Khalif rather than to shrine, and that as they have violently deposed existing Khalif they have a right to keep them for new Khalif of their choice. I think it not unlikely that a public protest against this act of bad faith and sacrilege may emanate either from ex-Sultan at Mecca or from King Hussein, or from both. But meanwhile Viceroy should surely be asked to make facts public, since, unless Indian Moslems are absolutely bemused by party and anti-British feeling, there should come from India an indignant outcry similar to that which has proceeded from Australia in regard to war graves at Gallipoli.

"Reliable information about these relics is to be found in an article by Landon in 'Daily Telegraph' of 27th January."

No. 162.

The Marquess Curzon of Kedleston to Mr. Lindsay.—(Received January 30.)

(No. 249.)
(Telegraphic.) R. *Lausanne, January 30, 1923.*

MY despatches Nos. 57 and 93.

Greek and Turkish delegates signed this morning an agreement relative to exchange of civilian hostages and prisoners of war and a convention relative to exchange of populations. Former comes into force at once. Latter forms integral part of general peace settlement, and will come into force when Greece and Turkey have ratified Peace Treaty.

Agreements as signed are practically identical with texts forwarded in my despatches under reference subject to slight drafting alterations, most important

of which is that second paragraph of article 4 of agreement for exchange of populations has been transferred to separate protocol, as stipulation contained in it is to come into force on signature of Peace Treaty without awaiting ratification.

No. 163.

Mr. Lindsay to the Marquess Curzon of Kedleston (*Lausanne*).

(No. 155.)
(Telegraphic.) *Foreign Office, January* 30, 1923.

THE Cabinet had under discussion to-day Harington's telegram No. 3515 of 28th, Henderson's No. 43 of 28th and your own No. 246 of 30th.

They are much impressed with the danger that may immediately arise to our troops in Constantinople in case of the non-acceptance by the Turks of the treaty. Your proposal that Harington might impose martial law on Constantinople not practicable, as sufficient number of troops not available in view of holding of Ismid and Chanak.

They desire to send following telegram to Harington, but will withhold despatch until hearing from you, but time presses, and telegram ought to be sent Harington to-morrow :—

"The Cabinet have decided that, if the Turks refuse to accept the treaty to be presented to them at Lausanne on the 31st January and Lord Curzon breaks off negotiations, they will order the British forces at Constantinople and on the Ismid Peninsula to be withdrawn to Gallipoli and Chanak, the evacuation to be carried out in accordance with a programme to be drawn up by yourself in co-operation with the naval commander-in-chief. You will, of course, time your evacuation to cover embarkation of British colony, consulting the Acting High Commissioner as to this part of the programme.

"On arrival in the Dardanelles your task will be to hold both the peninsula of Gallipoli and Chanak pending further instructions and a decision by the Government as to future policy. Instructions as to one battalion on the Maritza will follow.

"French and Italian Governments have been informed of the decision made by the Cabinet, and you will receive the earliest possible information as to the action they propose to take in order that you may co-operate with them if their course of action renders it possible. This telegram is to be treated as a warning order for your information, executive action being deferred until you receive instructions to begin the evacuation. It is presumed that your 'break-off' scheme will be followed generally. Wire any changes."

No. 164

The Marquess Curzon of Kedleston to Mr. Lindsay. (*Received January* 31.)

(No. 251.)
(Telegraphic.) *Lausanne, January* 30, 1923.

PLAN of action for to-morrow sketched in my telegram No. 231, and approved by my French and Italian colleagues, was already being pursued, and I was engaged in preparing my speech when, at 7·30 this evening, Bompard and Garroni asked to see me. Sir H. Rumbold and Sir E. Crowe were both present and endorse this account of what passed. Bompard had just seen Ismet, who had declared his inability to accept treaty now submitted, but had also announced his unwillingness to return to Angora without a treaty. The immense significance of this admission, to which I shall presently revert, did not appear to have struck by colleagues. Ismet had then said he would reply to our statement to-morrow of great concessions which Powers are prepared to make with a counter-statement of wonderful concessions made by Turks. He does not apparently intend to submit a counter-project, but on the ground, for which there is little or no foundation, that much of treaty is new he intends to ask for eight days' delay in which to submit his response. At end of this time, which is to be spent in friendly conversations with Allies, formal reply of Turkish delegation is to be forthcoming, and conference is to resume. Bompard

went on to explain that points to which Ismet takes exception, and on abandonment or modification of which Turks will insist, are—

1. Capitulations.
2. Finance and reparations.
3. Mosul.

Both he and Garroni are entirely willing to give way to any depths of humiliation about first two, and look forward to leaving me in the cart with the third. They urged me to remain on here to await Turkish reply and resumption of negotiations on the ground that any other attitude would be discourteous, and, if I was unable to do so, they urged that I should leave Sir H. Rumbold, or alternatively Sir E. Crowe, to represent His Majesty's Government.

Cabinet will realise this is a complete violation of agreement arrived at between three Allies not a week ago, as we did not fail to point out, and that it means a recommencement of our entire labours with no better promise of result, but with certainty that Ismet, confronted with this further surrender, will not be content except with the whole.

In reply we pointed out—

1. That we were quite willing to let Ismet have a week or more to reply, but that we could neither remain here to take part in discussion nor await result.
2. That there was no reason for him to waste a week in replying when he could perfectly well do so before my departure on Friday.
3. That his reply could very well be sent by letter to various Governments.
4. That we could not consent to reopen entire discussion on proposed basis.
5. That question of Mosul was out of our hands and that no alteration was possible, matter having been referred to the League of Nations.
6. That upon judicial régime and finance the Allies had already gone to the limit of concessions.
7. That my colleagues were openly throwing over agreement of last week in respect of our common decisions both to terminate discussion and to depart together.
8. That I did not conceive it possible that His Majesty's Government would allow me, Sir H. Rumbold or Sir E. Crowe to stay, which could only be an incitement to further demands and more humiliating concessions.

I undertook to telegraph to the Cabinet what had passed, but declined to abate in any particular the programme fixed for to-morrow, and reserved to myself the right to reply to Turkish contentions if I thought fit.

I do not ask for any immediate decision from His Majesty's Government, since I shall be in a better position to advise after to-morrow. But I cherish the hope that I shall be supported in resisting the pitiable weakness of my colleagues.

Their complete abandonment of all that we have hitherto agreed to may indeed call for full divulgation at a later date and may precipitate that dissolution of the *Entente* which seems to loom in the future. But for the present I mean to preserve the façade if I can, and surest method of doing so will be not to yield now, but to show Ismet that Great Britain is not to be frightened or cajoled into surrender. I think he will come and see me before I leave, as I still propose to do, with the delegation on Friday.

In our view, Ismet's refusal to return to Angora is conclusive proof both that he has powers to sign and that he does not mean to go without a treaty. We should indeed be ill-advised if we did not take advantage of this discovery.

No. 165.

The Marquess of Crewe to the Marquess Curzon of Kedleston.—(*Repeated to Foreign Office; Received January* 31.)

(No. 118.) [By Bag.]
(Telegraphic.) *Paris, January* 30, 1923.

FOLLOWING from Lord Balfour :—

"At a meeting in public of council this morning, I made statement about Irak frontier on lines agreed upon. Viviani, as president, took formal note of my

statement, associating himself, on behalf of the council, with my anticipation that Turks would be treated on basis of perfect equality, if they decided to state their own case to the council. Major Young is returning to Lausanne to-night, and will bring text of speech with him."

No. 166.

The Marquess of Crewe to the Marquess Curzon of Kedleston.—(Received January 31.)

(No. 121.) [By Bag.]
(Telegraphic.) *Paris, January 30, 1923.*

MY telegrams Nos. 90 and 111.

M. André Tardieu in to-day's "Echo national" makes a further attack on the Eastern policy of the French Government in an article headed "The Still-Born Treaty: Europe Flouted."

M. Tardieu declares that the only consolation for to-morrow's lamentable sitting of the Lausanne Conference is that the shame of signing such a treaty will probably be avoided by the arrogant obstinacy of the Turks themselves. The only shame for France will be that she should have negotiated it. Everybody knew that wherever M. Bompard had passed, whether at Constantinople or St. Petersburg, he had failed, but it was not he who had invented the policy of which the still-born Treaty of Lausanne was the expression, and which had existed since the summer of 1921. M. Tardieu here refers to the "Figaro" and the "Echo de Paris" articles, reported in my telegram No. 111, and observes that French public opinion is unanimous on the subject, except for the "Temps" and the "Matin." But the French Government, nevertheless, had not cured itself of its deplorable habit of kneeling down before the Turks. It was clearly proved, however, that it was no use continuing to give way. The Lausanne Treaty passed a sponge over Turkish aggression, the war, the Allied dead, and the final victory. It afforded no protection for the Straits, it gave up the Capitulations, it abandoned French schools and hospitals, exchanged races like cattle, and gave over the minorities to massacre. But in spite of that, the Turks refused to sign it, and in spite of their refusal, the head of the French Government, who was during the war the head of the French State, ran after them for their consent in the wake of M. Franklin-Bouillon. The "Matin," M. Tardieu observes, the organ of its former collaborator, M. Poincaré, asks that in no case contact should be lost with Angora and Moscow, in order to prevent collusion between Turks, Russians and Germans. Did he then not know of the Treaty of Rapallo and the Turco-Soviet Treaty, strengthened by yesterday's agreement between Ismet and Chicherin? That collusion had clearly existed for two years. It was therefore incredible that it should be attempted by sacrificing French rights, interests, traditions and honour, to guard France against a danger which had existed for so long. History would be severe for those responsible for that policy and for their voluntary dupes.

Philippe Millet, in the "Paris-Midi," attacks Ferid Bey for the evil influence which he exerted at Lausanne and Paris. He had told everyone at the former place that the French delegation, headed by M. Barrère, did not represent the views of the French Government, and that M. Franklin-Bouillon had confided to him that France was, in reality, ready for any concessions. Ferid had added, moreover, that France deserved in any case to be treated cavalierly. Responsible Turks had been the first to deplore the effect of these words on the extremists of the delegation, but the evil done by Ferid was irredeemable, and M. Bompard completed what he had begun. He had informed Paris that, unlike M. Barrère, he was not of opinion that the Turks should be treated with firmness, and, having come to Paris shortly afterwards, he returned with a letter instructing him to demand new concessions from the English on twenty-five different points. The Turks, prepared by Ferid, did not fail to take advantage of this display of weakness. M. Barrère wisely fled from so sad a sight. The best that could be obtained to-day as a reward for such surrender was that the conference should not end in a rupture, but in a mere adjournment. It would be lucky if, after Lausanne had failed, war did not break out again in the East.

M. Gauvain, in to-night's "Journal des Débats," also attacks the French Government on this subject. He observes that if the Turks were not demented, they would sign at once, as they would only be too fortunate to end their criminal adventure of 1914 with such unexpected success. They had, in the course of the

lamentable negotiations at Lausanne, obtained concessions surpassing anything which had been foreseen by the Western Powers. Even your Lordship had only remained firm over Mosul and Gallipoli. As for France, she had merely surrendered in order to witness the ruin of her traditional moral and material interests. But the Turks were still not satisfied, and their supporters in France informed them in a friendly way that the draft treaty was not France's last word, but merely constituted a basis for negotiations, and that France, who had already surrendered everything, was ready to surrender something further. At the same time, the British delegation was held up to public obloquy because it had dared to maintain some of those positions which the French had originally maintained with it, and because it had ventured to bring Mosul before the League of Nations. Greece was threatened because she had reconstituted a few divisions in order to ward off Turkish aggression in Western Thrace.

The French Minister at Athens made repeated demands to the Revolutionary Government to stop arming and to withdraw its troops from the frontiers, but the French High Commissioner at Constantinople had done nothing to prevent the Turks from moving troops and material into Eastern Thrace, in violation of the armistice of Mudania. There were Frenchmen to be found who wished the Turks to become absolute masters of the situation in the East, although they were the allies of the Bolsheviks who were themselves the allies of the Germans. All things considered, it was to be admitted that it was not the Turks who were most demented in this business. M. Gauvain concludes by appealing to the Turks to sign the treaty, for otherwise they would have to let the Mudania Armistice go on running, or else denounce it. If they denounced it, they would be responsible for the renewal of hostilities, which would certainly lose them the Straits, which the English would then be justified in occupying, with or without the French, and probably Eastern Thrace, which the Greek army would be able to retake. The transport of Bolshevik troops to Thrace seemed to be a fantastic idea, and Bolshevik co-operation in Mesopotamia would be more harmful to the Turks than to the English. If, on the other hand, the Mudania Armistice were allowed to run indefinitely, the English would move their military base towards Gallipoli, and fortify themselves in positions which, protected by their fleet, would defy enemy attacks. There was still time for the Turks to weigh all considerations, but, in order that the scales should come down on the right side, it was necessary that they should not receive bad advice from France.

M. Herbette, in this evening's "Temps," announces that the French Government yesterday made an important communication to Angora, the text of which was transmitted to Lausanne, London and Rome. That communication stated that the draft treaty did not, in the view of the French Government, constitute a final document, but merely afforded a basis for discussion. The French Government would not refuse to make such further concessions as seemed reasonable. If the Turkish delegation showed a wish to continue negotiations at Lausanne, the French Government were ready to leave their entire delegation there, but if the Turkish delegation were obliged to return to Angora, the French Government would be disposed to renew negotiations at a time and place to be agreed upon. By making clear its attitude in this way, even before the Turkish delegation had replied to the draft treaty, the French Government showed that it sincerely desired peace in the East, that it would neglect no effort to obtain it, and that if, to the detriment of all concerned, war were renewed, the responsibility would fall on those who did not wish to follow France or to meet her half-way.

No. 167.

Mr. Bentinck to Mr. Lindsay.—(Received January 31.)

(No. 53.)
(Telegraphic.) R. *Athens, January 31, 1923.*

MY telegram No. 46.

General Pangalos told press correspondent that General Harington had in his letter not raised question of neutral zone, which would be contrary to Agreement of Mudania. If neutral zone were insisted on Greece would no longer be bound by that agreement, and would occupy frontier provided before Mudania, and negotiate with Turks on entirely different basis.

My communication was made in terms of General Harington's letter, and I understand that my colleagues' communications were the same.

(Repeated to Lausanne and Constantinople.)

No. 168.

The Marquess of Crewe to the Marquess Curzon of Kedleston.—(Repeated to Foreign Office; Received January 31, 1923.)

(No. 122.) [By Telephone.]
(Telegraphic.) *Paris.*

FOLLOWING note, dated 30th January, received from M. Poincaré :-

" Comme suite à notre entretien du 27 janvier, je crois utile de préciser le point de vue du Gouvernement français au sujet des négociations avec la Turquie en vue du rétablissement de la paix en Orient.

" Votre Excellence connait les conditions dans lesquelles se trouvent placés aujourd'hui à cet égard les Gouvernements alliés.

" Depuis la signature du Traité de Sèvres, qui n'est pas entré en vigueur, une guerre particulière a éclaté entre les Grecs et les Turcs lorsque sous le régime de l'armistice de Mudros les hostilités entre les Puissances alliées et la Turquie avaient pris fin. Il faut noter que le traité signé à Sèvres était destiné à rétablir la paix entre les Alliés et la Turquie dans les mêmes conditions où elle avait été rétablie entre les Alliés d'une part, et l'Allemagne, l'Autriche, la Hongrie et la Bulgarie d'autre part. Ce traité, négocié entre les Alliés, devait être imposé à la Turquie comme les Traités de Versailles, de Saint-Germain, de Trianon et de Neuilly avaient été aux autres pays ennemis.

" Le Gouvernement français n'a cessé de blâmer la politique aventureuse de la Grèce, dont les ambitions agressives, en exaltant le patriotisme des Turcs, ont eu pour résultat de renforcer l'autorité et le prestige du Gouvernement d'Angora, considéré comme le défenseur de l'intégrité nationale contre l'ennemi héréditaire. Il a, par conséquent, déploré l'appui que cette politique a reçu du Gouvernement britannique Cet appui a été donné d'une part publiquement par Mr. Lloyd George, alors Premier Ministre, dans ses discours, notamment dans celui qui déclancha la phase finale de la campagne en exaspérant les Turcs, d'autre part par la voie diplomatique, ainsi que témoigne la correspondance de Lord Curzon avec M. Gounaris publiée récemment.

" Bien qu'il ait désapprouvé l'action de la Grèce, le Gouvernement français, désireux de maintenir l'unité des trois grandes Puissances, en vue de la paix, n'a cessé de poursuivre la conclusion de cette paix, aux côtés de l'Angleterre et de l'Italie, et c'est en plein accord que les trois Gouvernements ont, à diverses reprises, à Londres en 1921, à Paris en mars 1922, à Paris encore en septembre 1922, fait des tentatives pour amener les Turcs à négocier.

" A Lausanne encore, l'union des trois Gouvernements alliés s'est affirmée dans une collaboration cordiale, et le Gouvernement français a fait ce qui dépendait de lui pour arriver à la signature de la paix. Si la conférence devait échouer, le Gouvernement français pourrait-il écarter délibérément toute idée de reprendre de son côté des négociations dont les intérêts de premier ordre lui font une nécessité? Il a donné, donc, la preuve de son désir d'aboutir à une solution commune et il a conscience d'avoir fait ce qui dépendait de lui, conformément à ses engagements, pour maintenir la solidarité des trois Puissances.

" Par l'accord du 4 septembre 1914, les Gouvernements alliés s'étaient engagés mutuellement à ne pas conclure d'accord séparé au cours de la guerre et à ne pas poser, au cours de la discussion des termes de la paix, séparément des conditions de paix, sans accord préalable avec chacun des autres Alliés. Cet engagement a été tenu; il était pris pour la durée de la guerre et pour le temps nécessaire aux négociations de la paix.

" En ce qui concerne la Turquie, ce temps est passé. Bien que les efforts communs n'aient pas abouti au résultat désiré, il serait déraisonnable de prétendre, si un traité de paix collectif n'était jamais conclu entre les Alliés et cette Puissance, qu'aucun traité particulier ne pourrait être signé avec elle par l'une quelconque des Puissances alliées.

" La situation actuelle résulte bien moins de la guerre de 1914 que de la guerre gréco-turque, qui a modifié à notre détriment les conditions dans lesquelles nous pouvions créer un état de choses nouveau, qui n'est plus celui en vue duquel a été signé l'accord du 4 septembre 1914. Chaque jour qui passe aggrave ces conséquences.

" S'il constatait l'impossibilité d'arriver à une paix commune, le Gouvernement de la République, pour sauvegarder les intérêts essentiels français, qui se trouvent menacés du fait de la situation créée par la guerre gréco turque, peut être amené à négocier séparément avec la Turquie. Il croit devoir, dès maintenant, s'en réserver le droit, qu'il croit fondé.

" Il ne le ferait pas d'ailleurs sans en aviser ses alliés. Désireux, en particulier, de donner en cette circonstance, comme en toute autre, un témoignage de confiance, dont sont empreints les accords avec le Cabinet de Londres, non seulement il informerait préalablement celui-ci, mais le tiendrait au courant des pourparlers qui s'ensuivraient.

" Je veux du reste fermement espérer que le Gouvernement français n'aura pas à envisager cette éventualité. Si même l'accord ne pouvait se faire à Lausanne, j'ai la conviction qu'il pouvait être poursuivi ailleurs. Et sans doute aurait-on plus de chance de réussir si, tenant compte des enseignements de la conférence actuelle, on évitait les réunions où la solennité des débats et le nombre des participants favorisent les indiscrétions, donnent, malgré tous les efforts, un caractère de polémique aux discussions, d'ultimatum aux déclarations, et renforcent les intransigeances réciproques par le désir, souvent inconscient, qu'ont les plénipotentiaires de justifier leur attitude. En prenant le projet du traité élaboré à Lausanne comme base d'une négociation diplomatique et en abordant cette négociation nouvelle avec une ferme volonté d'aboutir, je suis certain que les Gouvernements alliés pourraient encore agir en commun avec des chances réelles de succès."

No. 169.

The Marquess Curzon of Kedleston to Mr. Lindsay.—(Received January 31.)

(No. 252.)
(Telegraphic.) *Lausanne, January 31, 1923.*

R. begins :

I COMMENCED meeting this morning by speech of some length introducing treaty, explaining its general character and object and indicating immense concessions which have been made to the Turks in respect of subjects dealt with in my commission. Text has been telegraphed to British press. Garroni followed by expounding quite fairly judicial provisions of treaty. Bompard then explained financial concessions and drew an impassioned picture of Turkey's perfidy in entering the war and her treachery to France. All three speeches concluded with appeal to Ismet to accept treaty and were based on assumption that treaty is our last word. I then resumed the chair in order to hear speeches of remaining delegations. American delegate joined in general appeal in a somewhat involved and nebulous oration, ending with declaration that refusal of Turkey to sign would be an irreparable disaster to herself.

Japanese, Roumanian and Serbian delegates then spoke shortly in similar sense. Ismet Pasha replied with a brief declaration, taking note of what had been said, complaining of novelty of certain demands made in treaty, and concluding with request for eight days' delay before giving official reply of Turkish delegation, this period to be consumed in private negotiations, at end of which commissions were to reassemble to hear results, or, as is more probable, to resume their labours. Cabinet will observe that this was precisely the demand foreshadowed in my telegram No 251 of yesterday. I then adjourned conference for ten minutes to admit of my delivering reply on behalf of Allies. (End of R.)

Retirement of French and Italian delegates with our own to an adjoining chamber lasted for fifty minutes and was scene of violent discord and even recrimination. Bompard and Garroni, in the spirit of their private conversations of yesterday, repudiated previous agreement with me, declaring that Ismet's request was entirely reasonable and could not be refused without discourtesy, announced their intention to stay on here and conduct proposed conversations, and said that if I refused, I should be responsible for breaking up conference and wrecking treaty. I declined to recede from my main position, pointing out complete tergiversation of my colleagues, in which I declined to participate and which I threatened to expose, insisting that Ismet's terms meant reopening whole case, which we had unanimously declared to be closed, and, if suggested conversations were to fail, revival of conference a week hence. I refused either to agree to this or to leave any member of British delegation [? omitted : behind] me or to allow any resumption of public debates. Utmost that I would concede, and that with a reluctance that I cannot exaggerate, was to postpone my departure until Saturday, or at the latest Sunday night, in order that Ismet, who had already had treaty in his possession for three

days and knows every article in it by heart, might have his stipulated week for consideration and private discussion before giving his final reply. I stated my intention to make this announcement to conference forthwith on my own responsibility whether my colleagues agreed or not, and from it I declared my inability to recede.

Upon our return to conference chamber I accordingly announced that I would, out of compliment to Ismet Pasha and Turks, consent to postpone my departure until Sunday night at latest, and that I was at his disposal in the interim. Ismet replied that he would do his best to accommodate me.

Above *dénouement* is regretted by no one more than myself, but in view of M. Poincaré's treacherous declaration, which I had just received, of his intention to conclude a separate treaty with Turks, and of Garroni's obvious willingness to take same course, with consequence that responsibility for rupture would be thrown exclusively upon me, and that I should be represented as throwing away peace for a matter of three days, I felt I had no alternative. I have now written to Ismet asking that conversations for which he begged may begin without delay. Inasmuch as secret telegrams received this morning confirm forecast contained in my telegram No. 251 of yesterday, and show that Ismet not only has authority, but means to sign, I beg that instructions to General Harington contained in your telegram No. 155, just received, be not sent for the present, and that French and Italian Governments be not warned as proposed. It is to my mind clear that Turks do not mean fighting, and must have a treaty, and that enemies whom I have to contend with and defeat are not at Angora, but at Paris and Rome. I am reporting in another telegram about M. Poincaré's attitude, but, in the meantime, I ask for four days' additional law, which will result, it is true, either in a treaty or in rupture, but more probably former, while if there is rupture it will be in a wider field than the Near East. Cabinet have doubtless observed rising tide in French press against M. Poincaré's pusillanimity, in which he finds a faithful adherent in M. Bompard.

No. 170.

The Marquess Curzon of Kedleston to Sir P. Loraine (Tehran.)

(No. 22.)
(Telegraphic.) *Foreign Office, January* 31, 1923.

YOUR telegram No. 25 of 25th January: Persian representation at Lausanne.

Persian Minister has also pressed again for representation at Lausanne. I have replied in similar terms, adding that conference has practically ended without touching on any Persian interests.

No. 171.

Mr. Lindsay to the Marquess Curzon of Kedleston (Lausanne).

(No. 158.)
(Telegraphic.) *Foreign Office, January* 31, 1923

YOUR telegram No. 243 of 28th January: Disposal of wireless stations of Osmanieh and Ok Meidan.

War Office point out that Osmanieh and Ok Meidan wireless stations are used by French and ourselves.

At Osmanieh there is a double set of wireless equipment, one of which belongs to the French and one to our navy. Both sets work on same aerial gear at different periods of the day.

In event of evacuation under any circumstances by British, the Admiralty would want to remove all their naval wireless equipment. No reliable information is available as to original German wireless gear which was at Osmanieh, but it is believed to be still there. Situation at Ok Meidan same as at Osmanieh.

In the event of British evacuation under pressure from Turks, French troops may remain behind, and in this case the French would hardly agree to the dismantling of the stations, and without their agreement it could not be carried out.

War Office enquire whether instructions similar to those given in your telegram under reference have been sent by the French to their representatives at Constantinople.

[E 1202/1/44] No. 172.

Draft Terms of Peace presented to the Turkish Delegation at Lausanne on January 31, 1923.

[NOTE.—This text does not include any of the concessions offered to the Turkish Delegation after January 31, 1923. For particulars of subsequent negotiations and concessions, see "Turkey, No. 1 (1923)" [Cmd. 1814], Section II, p. 832.]

PROJET D'ACTE FINAL.

Les gouvernements de l'Empire britannique, de la France et de l'Italie, d'accord avec le gouvernement du Japon, soucieux de rétablir définitivement la paix en Orient, ayant convié d'une part la Grèce, la Roumanie, l'Etat serbe-croate-slovene et aussi les Etats Unis d'Amérique, et d'autre part la Turquie, à examiner en commun les dispositions propres à atteindre un résultat également souhaité par toutes les Nations;

Ayant estimé, par ailleurs, que parmi les sujets qui se trouveront devoir être traités à cette Conférence la question des Détroits devra être examinée spécialement, en invitant la Bulgarie et la Russie, Puissances riveraines de la Mer Noire, à participer aux négociations et aux décisions qui seraient adoptées;

Et ayant décidé d'admettre les tierces Puissances à faire connaître à la Conférence, soit oralement soit par écrit, mais sans participer aux débats, leurs vues sur les questions mettant directement en cause leurs intérêts, tout en reconnaissant que, parmi ces Puissances, celles qui ont combattu pendant la dernière guerre aux côtés de l'Empire britannique, de la France, de l'Italie, et du Japon, seraient admises à participer aux discussions des questions économiques et financières.

En conséquence, les soussignés se sont assemblés à Lausanne et, à la suite de réunions tenues du 20 novembre 1922 au . . . . 1923, les actes ci-après énumérés ont été arrêtés:

I. Traité de paix et Déclaration annexe;

II. Convention concernant le régime des Détroits;

III. Convention concernant les frontières de Thrace.

IV. Convention relative au régime des Etrangers en Turquie, et Déclaration relative à l'administration de la justice en Turquie.

DRAFT FINAL ACT.

The Governments of the British Empire, France and Italy, in agreement with the Government of Japan, being desirous of finally re-establishing peace in the East, and having invited on the one hand Greece, Roumania, the Serb-Croat-Slovene State, and also the United States of America, and on the other hand Turkey, to examine together the arrangements by which a result equally desired by all nations might be achieved;

And considering further that among the subjects falling to be dealt with by this Conference the question of the Straits ought to be specially examined, Bulgaria and Russia, as littoral Powers of the Black Sea, being invited to participate in the negotiations and the decisions to be taken:

And having decided to admit third Powers to communicate to the Conference orally or in writing, but without taking part in the discussions, their views on subjects directly affecting their interests, while recognising that of these Powers those which fought during the recent war on the side of the British Empire, France, Italy and Japan should be allowed to take part in the discussion on economic and financial questions.

In consequence the undersigned have met at Lausanne, and as the result of meetings held between the 20th November, 1922, and ....., 1923, the following instruments have been drawn up:-

I. Treaty of Peace, and Declaration annexed;

II. Convention respecting the Régime of the Straits;

III. Convention respecting the Frontiers of Thrace;

IV. Convention respecting the Régime applicable to Foreigners in Turkey, and Declaration relating to the administration of justice in Turkey;

V. Déclaration relative à la participation de l'Albanie au paiement de la Dette publique ottomane ;

VI. Convention relative au régime du commerce avec la Turquie ;

VII. Déclaration relative à l'amnistie ;

VIII. Convention concernant l'échange des populations grecques et turques et Protocole annexe ;

IX. Accord gréco-turc sur la restitution et l'échange des prisonniers de guerre et des internés civils.

V. Declaration respecting the participation of Albania in the payment of the Ottoman Public Debt ;

VI. Convention respecting the Commercial Régime with Turkey ;

VII. Declaration relating to an Amnesty ;

VIII. Convention respecting the Exchange of the Greek and Turkish populations, and Protocol annexed ;

IX. Greco-Turkish Agreement on the Restitution and Exchange of Prisoners of War and Interned Civilians.

En foi de quoi les soussignés ont apposé leurs signatures et leurs cachets au bas du présent Acte.

Fait à Lausanne le ..... mil neuf cent vingt trois en un seul exemplaire qui sera déposé dans les archives du gouvernement de la République française et dont les copies certifiées conformes seront délivrés à toutes les Puissances représentées à la Conférence.

In faith whereof the undersigned have signed and sealed the present Act.

Done at Lausanne the ...., 1923, in a single copy which will be deposited in the archives of the Government of the French Republic, and of which certified copies will be transmitted to all the Powers represented at the Conference.

(Signatures, sans indication de pays.)

(Signatures, without mentioning the names of the countries.)

Document No. I. of Final Act.

PROJET DE TRAITE DE PAIX.

L'EMPIRE BRITANNIQUE, la FRANCE, L'ITALIE, le JAPON, la GRECE, la ROUMANIE, L'ETAT SERBE-CROATE-SLOVENE,

d'une part,

et la TURQUIE

d'autre part ;

Animés du même désir de mettre fin définitivement à l'état de guerre qui, depuis 1914, a troublé l'Orient,

Et soucieux de rétablir entre eux les relations d'amitié et de commerce nécessaires au bien être commun de leurs nations respectives,

Ont décidé de conclure un Traité à cet effet et ont désigné pour leurs Plénipotentiaires, savoir

DRAFT TREATY OF PEACE.

THE BRITISH EMPIRE, FRANCE, ITALY, JAPAN, GREECE, ROUMANIA AND THE SERB-CROAT-SLOVENE STATE

of the one part

and TURKEY

of the other part ;

Being united in the desire to terminate the state of war which has existed in the near East since 1914 ;

Being anxious to ensure as between themselves the friendly re-establishment of normal relations, economic and other, which are essential to the mutual well-being of their respective peoples ;

Have decided to conclude a Treaty for this purpose ;

And have appointed as their Plenipotentiaries :—

Lesquels, après avoir exhibé leurs pleins pouvoirs reconnus en bonne et due forme, ont convenu des dispositions suivantes.

Who, having produced their full powers, found in good and due form, have agreed as follows :—

PARTIE I.

CLAUSES POLITIQUES.

Article ter.

A dater de la mise en vigueur du présent Traité, l'état de paix sera définitivement rétabli entre l'Empire britannique, la France, l'Italie, le Japon, la Grèce, la Roumanie, l'Etat Serbe-Croate-Slovene d'une part et la Turquie d'autre part ainsi qu'entre leurs ressortissants respectifs.

De part et d'autre il y aura relations officielles et, sur les territoires respectifs, les agents diplomatiques et consulaires recevront, à moins de stipulations particulières, le traitement consacré par les principes généraux du droit des gens.

PART I.

POLITICAL CLAUSES

Article 1.

From the coming into force of the present Treaty, a state of peace will be definitely re-established between the British Empire, France, Italy, Japan, Greece, Roumania and the Serb-Croat-Slovene State of the one part and Turkey of the other part, as well as between their respective nationals.

Official relations will be resumed on both sides and, in the respective territories, diplomatic and consular representatives will receive, subject to such special provisions as may be made, treatment in accordance with the established principles of international law.

SECTION I.

I.—CLAUSES TERRITORIALES.

Article 2.

De la Mer Noire à la Mer Egée : la frontière de la Turquie est fixée comme il soit (Voir la Carte No. 1, annexée).

(1) *avec la Bulgarie.*

De l'embouchure de la Rezvaya jusqu'à la rive gauche de la Maritza, point de jonction des trois frontières de la Turquie, de la Bulgarie et de la Grèce :

la frontière Sud de la Bulgarie, telle qu'elle est actuellement délimitée.

(2) *avec la Grèce.*

de là, jusqu'au point où la frontière qui avait été fixée par le Traité de Sophia du 26 Septembre 1915 traverse la rivière Maritza en amont d'Andrinople :

la rive gauche de la Maritza ;

—de là, dans la direction du Sud-Est, jusqu'au point où elle traverse la rivière Maritza en aval d'Andrinople :

la frontière qui avait été fixée par le Traité de Sofia du 29 Septembre 1915, laissant à la Turquie la station à laquelle aboutit actuellement l'embranchement du chemin de fer spécialement construit pour desservir la ville d'Andrinople, et laissant à la Grèce la ville et la gare de Karagatch ;

—de là, jusqu'à la Mer Egée : la rive gauche de la Maritza.

SECTION I.

(1) TERRITORIAL CLAUSES.

Article 2.

From the Black Sea to the Aegean.

The frontier of Turkey is laid down as follows (*see* Map) :—

(1) *With Bulgaria.*

From the mouth of the River Rezvaya, to the left bank of the River Maritza, the point of junction of the three frontiers of Turkey, Bulgaria and Greece :

the southern frontier of Bulgaria as already demarcated.

(2) *With Greece.*

Thence to the point where the frontier of the Treaty of Sofia, 1915, crosses the River Maritza above Adrianople :

the left bank of the River Maritza :

thence in a south-westerly direction to the point where it crosses the River Maritza, below Adrianople :

the frontier fixed by the Treaty of Sofia, 1915, leaving to Turkey the present terminus of the branch line specially constructed to serve the town of Adrianople, and to Greece the Town and Railway Station of Karagach :

thence to the Aegean Sea :

the left bank of the River Maritza.

Article 3.

De la Mer Méditerranée à la frontière de Perse, la frontière de la Turquie est fixée comme il suit :

(1) *avec la Syrie :*

La frontière définie dans l'article 8 de l'Accord franco turc du 20 Octobre 1921 :

(2) *avec l'Iraq :*

À partir du point où finit sur le Tigre la frontière visée à l'alinéa (1) du présent article :

une ligne à déterminer en conformité de la décision qui sera rendue à ce sujet par le Conseil de la Société des Nations.

Article 4.

Les frontières décrites par le présent Traité sont tracées sur les cartes au-1/1000000e annexées au présent Traité. En cas de divergence entre le texte et la carte, c'est le texte qui fera foi.

Article 5

Des Commissions de délimitation seront chargées de tracer sur le terrain les frontières décrites dans les articles 2 et 3 et non encore tracées. Ces Commissions seront composées de représentants des Puissances limitrophes intéressées, à raison d'un par chaque Puissance, et d'un Président choisi par eux parmi les ressortissants d'une tierce Puissance.

Elles auront tout pouvoir, non seulement pour la détermination des fractions définies sous le nom de "ligne à déterminer sur le terrain," mais encore, si elles le jugent nécessaire, pour la révision, dans le détail, des fractions définies par des limites administratives ou autrement. Elles s'efforceront, dans tous les cas, de suivre au plus près les définitions données dans les Traités, en tenant compte autant que possible des limites administratives et des intérêts économiques locaux.

Les décisions des Commissions seront prises à la majorité des voix et seront obligatoires pour les parties intéressées.

Les dépenses des Commissions de délimitation seront supportées également par les Parties intéressées.

Article 6.

En ce qui concerne les frontières définies par le cours d'un fleuve ou d'une rivière et non par ses rives, les termes "cours" ou "chenal" employés

Article 3.

From the Mediterranean to the frontier of Persia, the frontier of Turkey is laid down as follows:—

(1) *With Syria:*

The frontier established by Article 8 of the Franco-Turkish Agreement of October 20th, 1921

(2) *With Iraq:*

From the point on the Tigris which constitutes the terminal point of the frontier referred to in paragraph (1) of this Article:

A line to be fixed in accordance with the decision to be given thereon by the Council of the League of Nations.

Article 4.

The frontiers described by the present Treaty are traced on the one in a million maps attached to the present Treaty. In case of differences between the text and the map, the text will prevail.

Article 5.

Boundary Commissions will be appointed to trace on the ground such of the frontiers defined in Articles 2 and 3, as have not yet been delimited. These Commissions will be composed of representatives of the limitrophe States concerned; each Power shall appoint one representative, and a President shall be chosen by them from the nationals of a third Power.

They shall have the power, not only of fixing those portions which are defined as "a line to be fixed on the ground," but also, if the Commission considers it necessary, of revising in matters of detail portions defined by administrative boundaries or otherwise. They shall endeavour in all cases to follow as nearly as possible the descriptions given in the Treaties, taking into account, as far as possible, administrative boundaries and local economic interests.

The decisions of the Commissions will be taken by a majority, and shall be binding on the parties concerned.

The expenses of the Boundary Commission will be borne in equal shares by the parties concerned.

Article 6.

In so far as frontiers defined by a waterway as distinct from its banks are concerned, the phrases "course" or "channel" used in the descriptions of the

dans les descriptions du présent Traité signifient : d'une part, pour les fleuves non navigables, la ligne médiane du cours d'eau ou de son bras principal, et d'autre part, pour les fleuves navigables, la ligne médiane du chenal de navigation principal. Toutefois, il appartiendra aux Commissions de délimitation, prévues par le présent Traité, de spécifier si la ligne frontière suivra, dans ses déplacements éventuels, le cours ou le chenal ainsi défini, ou si elle sera déterminée d'une manière définitive par la position du cours ou du chenal, au moment de la mise en vigueur du présent Traité.

A moins de stipulations contraires du présent Traité, les frontières maritimes comprennent les îles et îlots situés à moins de trois milles de la côte.

Article 7.

Les divers Etats intéressés s'engagent à fournir aux Commissions tous documents nécessaires à leurs travaux, notamment des copies authentiques des procès-verbaux de délimitation des frontières actuelles ou anciennes, toutes les cartes à grande échelle existantes, les données géodésiques, les levés exécutés et non publiés, les renseignements sur les divagations des cours d'eau frontières. Les cartes, données géodésiques et levés même non publiés, se trouvant en la possession des autorités turques, devront être remis à Constantinople, dans le plus bref délai possible dès la mise en vigueur du présent Traité, aux Présidents des Commissions intéressées.

Les Etats intéressés s'engagent, en outre, à prescrire aux autorités locales de communiquer aux Commissions tous documents, notamment les plans, cadastres et livres fonciers, et de leur fournir sur leur demandes tous renseignements sur la propriété, les courants économiques et autres informations nécessaires.

Article 8.

Les divers Etats intéressés s'engagent à prêter assistance aux Commissions de délimitation, soit directement, soit par l'entremise des autorités locales, pour tout ce qui concerne le transport, le logement, la main-d'œuvre, les matériaux (poteaux, bornes) nécessaires à l'accomplissement de la mission.

En particulier, le Gouvernement turc s'engage à fournir, s'il est nécessaire, le personnel technique propre à assister les Commissions de délimitation dans l'accomplissement de leur tâche.

present Treaty signify, as regards non-navigable rivers, the median line of the waterway or of its principal branch, and, as regards navigable rivers, the median line of the principal channel of navigation. It will rest with the Boundary Commissions provided for by the present Treaty to specify whether the frontier line shall follow any changes of the course or channel which may take place, or whether it shall be definitely fixed by the position of the course or channel at the time when the present Treaty comes into force.

In the absence of provisions to the contrary in the present Treaty, islands and islets lying within three miles of the coast are included within the frontier of the coastal State.

Article 7.

The various States concerned undertake to furnish to the Commissions all documents necessary for their task, especially authentic copies of agreements fixing existing or old frontiers, all large scale maps in existence, geodetic data, surveys completed but unpublished, and information concerning the changes of frontier watercourses. The maps, geodetic data, and surveys, even if unpublished, which are in the possession of the Turkish authorities must be delivered at Constantinople with the least possible delay from the coming into force of the present Treaty to the Presidents of the Commissions concerned.

The States concerned also undertake to instruct the local authorities to communicate to the Commission all documents, especially plans, cadastral and land books, and to furnish on demand all details regarding property, existing economic conditions and other necessary information.

Article 8.

The various States interested undertake to give every assistance to the Boundary Commissions, whether directly or through local authorities, in everything that concerns transport, accommodation, labour, materials (sign posts, boundary pillars) necessary for the accomplishment of their mission.

In particular, the Turkish Government undertakes to furnish, if required, the technical personnel necessary to assist the Boundary Commissions in the accomplishment of their duties.

Article 9.

Les divers Etats intéressés s'engagent à faire respecter les repères trigonométriques, signaux, poteaux ou bornes frontières placés par les Commissions.

Article 10.

Les bornes seront placées à distance de vue l'une de l'autre; elles seront numérotées et leur emplacement et leur numéro seront portés sur un document cartographique.

Article 11.

Les procès-verbaux définitifs de délimitation, les cartes et documents annexés seront établis en triple original, dont deux seront transmis aux Gouvernements des Etats limitrophes et le troisième sera transmis au Gouvernement de la République française, qui en délivrera des expéditions authentiques aux Puissances signataires du présent Traité.

Article 12.

La décision prise le 13 Février 1914 par la Conférence de Londres, en exécution des articles 5 du Traité de Londres du 17/30 Mai 1913 et 15 du Traité d'Athènes du 1/14 Novembre 1913, ladite décision notifiée au Gouvernement hellénique le 13 Février 1914, concernant la souveraineté de la Grèce sur les îles de la Méditerranée orientale, autres que les îles de Imbros et Tenedos, notamment les îles de Lemnos, Samothrace, Mitylène, Chio, Samos et Nikaria, est confirmée, sous réserve des stipulations du présent Traité relatives aux îles placées sous la souveraineté de l'Italie et visées à l'article 15. Sauf stipulation contraire du présent Traité, les îles situées à moins de trois milles de la côte asiatique, restent placées sous la souveraineté turque.

Article 13.

En vue d'assurer le maintien de la paix, le Gouvernement hellénique s'engage à observer les mesures suivantes dans les îles de Mitylène, Chio, Samos et Nikaria:

(1°) aucun base navale, ni aucune fortification, ne seront établies dans lesdites îles;

(2°) il sera interdit à l'aviation militaire grecque de survoler le territoire de la côte d'Anatolie.

Réciproquement, le Gouvernement turc interdira à son aviation militaire de survoler lesdites îles.

Article 9.

The various States interested undertake to safeguard the trigonometrical points, signals, posts or frontiers marks erected by the Commissioners.

Article 10.

The pillars will be placed so as to be intervisible. They will be numbered, and their position and their number will be noted on a cartographic document.

Article 11.

The protocols defining the boundary and the maps and documents attached thereto will be made out in triplicate, of which two copies will be forwarded to the Governments of the limitrophe States, and the third to the Government of the French Republic, which will deliver authentic copies to the Powers who sign the present Treaty.

Article 12.

The decision taken on February 13th, 1914, by the Conference of London, in virtue of Articles 5 of the Treaty of London of 17-30 May, 1913, and 15 of the Treaty of Athens of 1-14 November, 1913, which decision was communicated to the Greek Government on February 13th, 1914, regarding the sovereignty of Greece over the islands of the Eastern Mediterranean other than the islands of Imbros and Tenedos, particularly the islands of Lemnos, Samothrace, Mytilene, Chios, Samos and Nikaria, is confirmed subject to the conditions contained in the present Treaty respecting the islands placed under the sovereignty of Italy which form the subject of Article 15. Except where a provision to the contrary is contained in the present Treaty, the islands situated at less than three miles from the Asiatic coast remain under Turkish sovereignty.

Article 13.

With a view to ensuring the maintenance of peace, the Greek Government undertakes to observe the following restrictions in the Islands of Mytilene, Chios, Samos and Nikaria:

(1) No naval base and no fortification will be established in the said Islands.

(2) Greek military aircraft will be forbidden to fly over the territory of the Anatolian coast.

Reciprocally, the Turkish Government will forbid their military aircraft to fly over the said Islands.

(3°) Les forces militaires helléniques dans lesdites îles seront limitées au contingent normal appelé pour le service militaire qui pourra être instruit sur place, ainsi qu'à un effectif de gendarmerie et de police proportionné à l'effectif de la gendarmerie et de la police existant sur l'ensemble du territoire hellénique.

Article 14.

Les îles de Imbros et Tenedos, demeurant sous la souveraineté turque, jouiront d'une organisation administrative spéciale composée d'élements locaux et donnant toute garantie à la population indigène non musulmane, en ce qui concerne l'administration locale ainsi que la protection des personnes et des biens. Le maintien de l'ordre y sera assuré par une police recrutée parmi la population indigène par les soins et placée sous les ordres de l'administration locale ci-dessus prévue.

Les stipulations conclues ou à conclure entre la Grèce et la Turquie concernant l'échange des populations grecques et turques ne seront pas applicables aux habitants des îles d'Imbros et de Tenedos.

Article 15.

La Turquie renonce en faveur de l'Italie à tous ses droits et titres sur les îles ci-après énumérées, savoir: Stampalia (Astropalia), Rhodes (Rhodos), Calki (Kharki), Scarpanto, Casos (Casso), Piscopis (Tilos), Misiros (Nisyros), Calimnos (Kalymnos), Leros, Patmos, Lisposs (Lipso), Simi (Symi), et Cos (Kos), actuellement occupées par l'Italie, et les îlots qui en dépendent, ainsi que sur l'île de Castellorizzo (voir Carte No. 2).

Article 16.

La Turquie déclare renoncer à tous droits et titres de quelque nature que ce soit, sur ou concernant tous territoires situés au delà des frontières prévues par le présent Traité et sur les îles autres que celles sur lesquelles la souveraineté lui est reconnue par ledit Traité.

Elle reconnait et agrée les dispositions qui ont été ou seront prises concernant l'attribution, l'independence ou tout autre régime de ces territoires ou îles.

Article 17.

L'effet de la renonciation par la Turquie à tous les droits et titres sur l'Egypte et sur le Soudan prendra date du 5 Novembre 1914.

(3) The Greek military forces in the said Islands will be limited to the normal contingent called up for military service, which can be instructed on the spot, as well as to a force of gendarmerie and police in proportion to the force of gendarmerie and police existing in the whole of the Greek territory.

Article 14.

The Islands of Imbros and Tenedos, remaining under Turkish sovereignty, shall enjoy a special administrative organisation composed of local elements and furnishing every guarantee for the native non-Moslem population in so far as concerns local administration and the protection for person and property. The maintenance of order will be assured therein by a police force recruited from amongst the local population by the local administration above provided for and placed under its orders.

The agreements which have been, or may be, concluded between Greece and Turkey relating to the exchange of the Greek and Turkish populations will not be applied to the inhabitants of the Islands of Imbros and Tenedos.

Article 15.

Turkey renounces in favour of Italy all her rights and title over the following islands: Stampalia (Astropalia), Rhodes (Rhodos), Calki (Kharki), Scarpanto, Casos (Casso), Piscopis (Tilos), Misiros (Nisyros), Calimnos (Kalymnos), Leros, Patmos, Lipsos (Lipso), Simi (Symi), and Cos (Kos), which are now occupied by Italy, and the islets dependent thereon, and also over the island of Castellorizzo (*see* Map).

Article 16.

Turkey hereby renounces all rights and title whatsoever over or respecting all territories situated outside the frontiers provided for in the present Treaty and the islands other than those over which her sovereignty is recognised by the said Treaty.

Turkey recognises and accepts the measures which have been or will be taken respecting the attribution, independence or any other *régime* of these territories or islands.

Article 17.

The renunciation by Turkey of all rights and titles over Egypt and over the Sudan will take effect as from November 5th, 1914

Article 18.

Des stipulations ultérieures, à intervenir dans des conditions à déterminer entre les Puissances intéressées, régleront les questions naissant de la reconnaissance de l'Etat égyptien, auquel ne s'appliquent pas les dispositions du présent Traité relatives aux territoires détachés de la Turquie en vertu dudit Traité.

Article 19.

La Turquie déclare reconnaître l'annexion de Chypre proclamée par le Gouvernement britannique le 5 Novembre 1914.

Les ressortissants turcs nés ou domiciliés dans l'île de Chypre acquerront, dans les conditions de la loi locale, la nationalité britannique, à l'exclusion de la nationalité ottomane.

Article 20.

Les droits et privilèges, qui, en vertu du Traité de Lausanne du 18 Octobre 1912, avaient été réservés en Libye au Sultan de Turquie, sont et demeurent définitivement abolis.

(2) Dispositions Spéciales.

Article 21.

Les Hautes Parties Contractantes sont d'accord pour reconnaître et déclarer le principe de la liberté de passage et de navigation, par mer et dans les airs, en temps de paix comme en temps de guerre, dans les Détroits des Dardanelles, la Mer de Marmara et le Bosphore.

La Convention spéciale, conclue à la date de ce jour, relativement au régime des Détroits, aura même force et valeur au regard des Hautes Parties ici contractantes que si elle figurait dans le présent Traité.

Article 22.

La Convention spéciale, conclue à la date de ce jour, relativement au régime de la frontière décrite dans l'article 2 du présent Traité, aura même force et valeur au regard des Hautes Parties ici contractantes que si elle figurait dans le présent Traité.

Article 23.

La Turquie s'engage à reconnaître la pleine valeur des Traités de paix et Conventions additionnelles, conclus par les autres Puissances contractantes avec les Puissances ayant combattu aux côtés de la Turquie, à agréer les dispositions qui ont été ou seront prises concernant les territoires de l'ancien Empire allemand, de l'Autriche, de la Hongrie et de la Bulgarie, et à reconnaître les nouveaux Etats dans les frontières ainsi fixées.

Article 18.

The questions arising from the recognition of the State of Egypt shall be settled by agreements to be negotiated subsequently in a manner to be determined later between the Powers concerned. The provisions of the present Treaty relating to territories detached from Turkey under the said Treaty will not apply to Egypt.

Article 19.

Turkey hereby recognises the annexation of Cyprus proclaimed by the British Government on November 5th, 1914.

Turkish nationals born or habitually resident in Cyprus will acquire British nationality and lose their Turkish nationality, subject to the conditions laid down in the local law.

Article 20.

All rights and privileges which, under the Treaty of Lausanne of October 18th, 1912, were left to the Sultan of Turkey in Lybia are and remain definitely abolished.

(2) Special Provisions.

Article 21.

The High Contracting Parties are agreed to recognise and declare the principle of freedom of transit and of navigation, by sea and by air, in time of peace as in time of war, in the Straits of the Dardanelles, the Sea of Marmora and the Bosphorus.

The special Convention of even date, regarding the régime of the Straits, will have the same force and effect in so far as the present High Contracting Parties are concerned as if this Convention formed part of the present Treaty.

Article 22.

The special Convention of even date respecting the régime for the frontier described in Article 2 of the present Treaty will have equal force and effect in so far as the present High Contracting Parties are concerned as if it formed part of the present Treaty.

Article 23.

Turkey undertakes to recognise the full force of the Treaties of Peace and additional Conventions concluded by the other Contracting Powers with the Powers who fought on the side of Turkey, and to recognise whatever dispositions have been or may be made concerning the territories of the former German Empire, of Austria, of Hungary and of Bulgaria, and to recognise the new States within their frontiers as there laid down.

Article 24.

La Turquie déclare dès à présent reconnaître et agréer les frontières de l'Allemagne, de l'Autriche, de la Bulgarie, de la Grèce, de la Hongrie, de la Pologne, de la Roumanie, de l'Etat Serbe-Croate-Slovène et de l'Etat Tchéco-Slovaque, telles que ces frontières ont été ou seront fixées par les Traités visés à l'article 23 ou par toutes conventions complémentaires.

Article 25.

Aucun pouvoir, ou juridiction en matière politique, législative, ou administrative ne seront exercés, pour quelque motif que ce soit, par le Gouvernement ou les autorités de la Turquie hors du territoire turc sur les ressortissants d'une territoire placé sous la souveraineté ou le protectorat des autres Puissances signataires du présent Traité, et sur les ressortissants d'un territoire détaché de la Turquie.

Il demeure entendu que le présent Traité ne porte pas atteinte aux prérogatives spirituelles des autorités religieuses des diverses croyances.

Article 26.

Les Hautes Parties Contractantes sont d'accord pour abroger les capitulations concernant le régime des étrangers en Turquie tant au point de vue des conditions d'accès et de séjour qu'au point de vue fiscal et judiciaire.

La Convention spéciale conclue sur ce sujet en date de ce jour aura même force et valeur au regard des Hautes Parties Contractantes que si les dispositions en figuraient dans le présent Traité.

Article 27.

Les ressortissants marocains (zone française) et les ressortissants tunisiens seront à tous égards soumis en Turquie au même régime que les autres ressortissants français.

Les ressortissants libyens seront à tous égards soumis en Turquie au même régime que les autres ressortissants italiens.

SECTION II

Nationalité.

Article 28.

Les ressortissants turcs établis sur les territoires qui, en vertu des dispositions du présent Traité, sont détachés de la

Article 24.

Turkey hereby recognises and accepts the frontiers of Germany, Austria, Bulgaria, Greece, Hungary, Poland, Roumania, the Serb-Croat-Slovene State and the Czecho-Slovak State as these frontiers have been or will be determined by the Treaties referred to in Article 23 or by any supplementary conventions.

Article 25.

No power or jurisdiction in political, legislative or administrative matters shall be exercised outside Turkish territory by the Turkish Government or authorities for any reason whatsoever over the nationals of a territory placed under the sovereignty or the protectorate of the other Powers signatory of the present Treaty, or over the nationals of a territory detached from Turkey.

It is understood that the present Treaty in no way infringes the spiritual prerogatives of the religious authorities of the different beliefs.

Article 26.

The High Contracting Parties agree to abrogate the Capitulations relating to the régime of foreigners in Turkey both as regards conditions of entry and residence and as regards fiscal and judicial questions.

The separate convention of even date on this subject will have equal force and effect in so far as the High Contracting Parties are concerned as if it formed part of the present Treaty.

Article 27.

Natives ("ressortissants") of the French zone of Morocco and natives ("ressortissants") of Tunis shall enjoy the same treatment in all respects in Turkey as other French nationals ("ressortissants").

Natives ("ressortissants") of Libya shall enjoy the same treatment in all respects in Turkey as other Italian nationals ("ressortissants").

SECTION II.

Nationality.

Article 28.

Turkish subjects habitually resident in territory which in accordance with the provisions of the present Treaty is detached

Turquie, deviendront de plein droit et dans les conditions de la législation locale, ressortissants de l'Etat auquel le territoire est transféré.

Article 29.

Les personnes âgées de plus de 18 ans, perdant leur nationalité turque et acquérant de plein droit une nouvelle nationalité en vertu de l'article 28, auront la faculté, pendant une période de deux ans à dater de la mise en vigueur du présent Traité, d'opter pour la nationalité turque.

Article 30.

Les personnes, âgées de plus de 18 ans, qui sont établies sur un territoire détaché de la Turquie, en conformité du présent Traité, et qui y diffèrent, par la race, de la majorité de la population dudit territoire, pourront, dans le délai de deux ans à dater de la mise en vigueur du présent Traité, opter pour la nationalité d'un des Etats où la majorité de la population est de la même race que la personne exerçant le droit d'option, et sous réserve du consentement de cet Etat.

Article 31.

Les personnes ayant exercé le droit d'option, conformément aux dispositions des articles 29 et 30, devront, dans les douze mois qui suivront, transporter leur domicile dans l'Etat en faveur duquel elles auront opté.

Elles seront libres de conserver les biens immobiliers qu'elles possèdent sur le territoire de l'autre Etat, où elles auraient eu leur domicile antérieurement à leur option.

Elles pourront emporter leurs biens meubles de toute nature. Il ne leur sera imposé, de ce fait, aucun droit ou taxe, soit de sortie, soit d'entrée.

Article 32.

Sous réserve des accords qui pourraient être nécessaires entre les Gouvernements exerçant l'autorité dans les pays détachés de la Turquie et les Gouvernements des pays où ils sont établis, les ressortissants turcs, âgés de plus de 18 ans, originaires d'un territoire détaché de la Turquie en vertu du présent Traité et qui, au moment de la mise en vigueur de celui-ci, sont établis à l'étranger, pourront opter pour la nationalité en vigueur dans le territoire dont ils sont originaires, s'ils se rattachent par leur race à la majorité de la population de ce territoire, et si le Gouvernement y exerçant l'autorité y consent. Ce droit d'option devra être exercé dans le délai de deux

from Turkey will become *ipso facto*, in the conditions laid down by the local law, nationals of the State to which such territory is transferred.

Article 29.

Persons over eighteen years of age, losing their Turkish nationality and obtaining *ipso facto* a new nationality under Article 28, shall be entitled within a period of two years from the coming into force of the present Treaty to opt for Turkish nationality.

Article 30.

Persons over eighteen years of age, habitually resident in territory detached from Turkey, in accordance with the present Treaty, and differing in race from the majority of the population of such territory shall, within two years from the coming into force of the present Treaty, be entitled to opt for the nationality of one of the States in which the majority of the population is of the same race as the person exercising the right to opt and subject to the consent of that State.

Article 31.

Persons who have exercised the right to opt in accordance with the provisions of Articles 29 and 30 must, within the succeeding twelve months, transfer their place of residence to the State for which they have opted.

They will be entitled to retain their immovable property in the territory of the other State where they had their place of residence before exercising their right to opt.

They may carry with them their movable property of every description. No export or import duties may be imposed upon them in connection with the removal of such property.

Article 32.

Subject to any agreements which it may be necessary to conclude between the Governments exercising authority in the countries detached from Turkey and the Governments of the countries where the persons concerned are resident, Turkish nationals of over eighteen years of age who are natives of a territory detached from Turkey, under the present Treaty, and who on its coming into force are habitually resident abroad, may opt for the nationality of the territory of which they are natives if they belong by race to the majority of the population of that territory and subject to the consent of the Government exercising authority therein. This right of option

ans à dater de la mise en vigueur du présent Traité.

Article 33.

Les Hautes Parties Contractantes s'engagent à n'apporter aucune entrave à l'exercice du droit d'option, prévu par le présent Traité ou par les Traités de paix conclus avec l'Allemagne, l'Autriche, la Bulgarie ou la Hongrie, ou par un Traité conclu par les Puissances alliées, ou l'une d'elles, avec la Russie, ou entre les Puissances alliées elles-mêmes, et permettant aux intéressés d'acquérir toute autre nationalité qui leur serait ouverte.

Article 34.

Les femmes mariées suivront la condition de leurs maris et les enfants âgés de moins de 18 ans suivront la condition de leurs parents pour tout ce qui concerne l'application des dispositions de la présente Section.

Article 35.

Les Juifs de nationalité non ottomane, établis en Palestine à la date de la mise en vigueur du présent Traité, auront la faculté d'acquérir la nationalité palestinienne en faisant une déclaration dans telles formes et conditions qui seront prescrites par la loi.

SECTION III.

PROTECTION DES MINORITÉS.

Article 36.

La Turquie s'engage à ce que les stipulations contenues dans les articles 37 à 43 soient reconnues comme lois fondamentales, à ce qu'aucune loi, aucun règlement, ni aucune action officielle ne soient en contradiction ou en opposition avec ces stipulations et à ce qu'aucune loi, aucun règlement ni aucune action officielle ne prévalent contre elles.

Article 37.

Le Gouvernement turc s'engage à accorder à tous les habitants de la Turquie pleine et entière protection de leur vie et de leur liberté, sans distinction de naissance, de nationalité, de langue, de race ou de religion.

Tous les habitants de la Turquie auront droit au libre exercice, tant public que privé, de toute foi, religion ou croyance dont la pratique ne sera pas incompatible avec l'ordre public et les bonnes mœurs.

Les minorités non musulmanes jouiront pleinement de la liberté de circulation et d'émigration

must be exercised within two years from the coming into force of the present Treaty.

Article 33.

The High Contracting Parties undertake to put no hindrance in the way of the exercise of the right which the persons concerned have under the present Treaty, or under the treaties of Peace concluded with Germany, Austria, Bulgaria or Hungary, or under any Treaty concluded by the Allied Powers, or any of them, with Russia, or between any of the Allied Powers themselves, to choose any other nationality which may be open to them.

Article 34.

For the purposes of the provisions of this section, the status of a married woman will be governed by that of her husband, and the status of children under eighteen years of age by that of their parents.

Article 35.

Jews of other than Turkish nationality who are habitually resident in Palestine on the coming into force of the present Treaty will have the right to become citizens of Palestine by making a declaration in such form and under such conditions as may be prescribed by law.

SECTION III.

PROTECTION OF MINORITIES.

Article 36.

Turkey undertakes that the stipulations contained in Articles 37 to 43 shall be recognised as fundamental laws and that no law, no regulation, nor official action shall conflict or interfere with these stipulations, nor shall any law, regulation, nor official action prevail over them.

Article 37.

The Turkish Government undertakes to assure full and complete protection of life and liberty to all inhabitants of Turkey without distinction of birth, nationality, language, race or religion.

All inhabitants of Turkey shall be entitled to free exercise, whether in public or private, of any creed, religion or belief, the observance of which shall not be incompatible with public order and good morals.

Non-Moslem minorities will enjoy full freedom of movement and of emigration subject to the

sous réserve des mesures s'appliquant, sur la totalité ou sur une partie du territoire, à tous les ressortissants turcs et qui seraient prises par le Gouvernement turc pour la défense nationale ou pour le maintien de l'ordre public.

Article 38.

Les ressortissants turcs appartenant aux minorités non musulmanes jouiront des mêmes droits civils et politiques que les musulmans.

Tous les habitants de la Turquie, sans distinction de religion, seront égaux devant la loi.

La différence de religion, de croyance ou de confession ne devra nuire à aucun ressortissant turc en ce qui concerne la jouissance des droits civils et politiques, notamment pour l'admission aux emplois publics, fonctions et honneurs ou l'exercice des différentes professions et industries.

Il ne sera édicté aucune restriction contre le libre usage pour tout ressortissant turc d'une langue quelconque, soit dans les relations privées ou de commerce, soit en matière de religion, de presse ou de publications de toute nature, soit dans les réunions publiques.

Nonobstant l'existence de la langue officielle, des facilités appropriées seront données aux ressortissants turcs de langue autre que le turc, pour l'usage oral de leur langue devant les tribunaux.

Article 39.

Les ressortissants turcs appartenant à des minorités non musulmanes jouiront du même traitement et des mêmes garanties en droit et en fait que les autres ressortissants turcs. Ils auront notamment un droit égal à créer, diriger et contrôler à leurs frais toutes institutions charitables, religieuses ou sociales, toutes écoles et autres établissements d'enseignement et d'éducation, avec le droit d'y faire librement usage de leur propre langue et d'y exercer librement leur religion.

Article 40.

En matière d'enseignement public, le Gouvernement turc accordera dans les villes et districts où réside une proportion considérable de ressortissants non musulmans, des facilités appropriées pour assurer que dans les écoles primaires l'instruction soit donnée dans leur propre langue aux enfants de ces ressortissants turcs. Cette stipulation n'empêchera pas le Gouvernement turc de rendre obligatoire

measures applied, on the whole or on a part of the territory, to all Turkish nationals, and which may be taken by the Turkish Government for national defence or for the maintenance of public order.

Article 38.

Turkish nationals belonging to non-Moslem minorities will enjoy the same civil and political rights as Moslems.

All the inhabitants of Turkey without distinction of religion shall be equal before the law.

Differences of religion, creed or confession shall not prejudice any Turkish national in matters relating to the enjoyment of civil or political rights, as for instance admission to public employments, functions and honours, or the exercise of professions and industries.

No restrictions shall be imposed on the free use by any Turkish national of any language in private intercourse, in commerce, religion, in the Press, or in publications of any kind or at public meetings.

Notwithstanding the existence of the official language, adequate facilities shall be given to Turkish nationals of non-Turkish speech for the oral use of their own language before the Courts.

Article 39.

Turkish nationals belonging to non-Moslem minorities shall enjoy the same treatment and security in law and in fact as other Turkish nationals. In particular they shall have an equal right to establish, manage and control at their own expense, any charitable, religious and social institutions, any schools and other establishments for instruction and education, with the right to use their own language and to exercise their own religion freely therein.

Article 40.

As regards public instruction, the Turkish Government will grant in those towns and districts, where a considerable proportion of non-Moslem nationals are resident, adequate facilities for ensuring that in the primary schools the instruction shall be given to the children of such Turkish nationals through the medium of their own language. This provision will not prevent the Turkish Government from

l'enseignement de la langue turque dans leadites écoles.

Dans les villes ou districts où existe une proportion considérable de ressortissants turcs appartenant à des minorités non musulmanes, ces minorités se verront assurer une part équitable dans le bénéfice et l'affectation des sommes qui pourraient être attribuées sur les fonds publics par le budget de l'Etat, les budgets municipaux ou autres, dans un but d'éducation, de religion ou de bienfaisance.

Les fonds en question seront versés aux représentants qualifiés des établissements et institutions intéressés.

Article 41

Le Gouvernement turc agrée de prendre à l'égard des minorités non musulmanes, en ce qui concerne leur statut familial ou personnel, toutes dispositions permettant de régler ces questions selon les usages de ces minorités.

Ces dispositions seront élaborées par des commissions spéciales composées en nombre égal de représentants du Gouvernement turc et de représentants de chacune des minorités intéressés. En cas de divergence, le Gouvernement turc et le Conseil de la Société des Nations nommeront d'un commun accord un surarbitre choisi parmi les jurisconsultes européens.

Le Gouvernement turc s'engage à accorder toute protection aux églises, synagogues, cimetières et autres établissements religieux des minorités précitées. Toutes facilités et autorisations seront données aux fondations pieuses et aux établissements religieux et charitables des mêmes minorités actuellement existants en Turquie, et le Gouvernement turc ne refusera, pour la création de nouveaux établissements religieux et charitables, aucune des facilités nécessaires qui sont garanties aux autres établissements privés de cette nature.

Article 42.

Les ressortissants turcs, appartenant aux minorités non musulmanes, ne seront pas astreints à accomplir un acte quelconque constituant une violation de leur foi ou de leurs pratiques religieuses, ni frappés d'aucune incapacité s'ils refusent de comparaître devant les tribunaux ou d'accomplir quelque acte légal le jour de leur repos hebdomadaire.

Toutefois, cette disposition ne dispensera pas ces ressortissants

making the teaching of the Turkish language obligatory in the said schools.

In towns and districts where there is a considerable proportion of Turkish nationals belonging to non-Moslem minorities, these minorities shall be assured an equitable share in the enjoyment and application of the sums which may be provided out of public funds under the State, municipal or other budgets for educational, religious or charitable purposes.

The sums in question shall be paid to the qualified representatives of the establishments and institutions concerned.

Article 41

The Turkish Government undertakes to take, as regards non-Moslem minorities in so far as concerns their family law or personal status, measures permitting the settlement of these questions in accordance with the customs of those minorities.

These measures will be elaborated by special Commissions composed of representatives of the Turkish Government and of representatives of each of the minorities concerned in equal number. In case of divergence, the Turkish Government and the Council of the League of Nations will appoint in agreement an umpire chosen from amongst European lawyers.

The Turkish Government undertakes to grant full protection to the churches, synagogues, cemeteries, and other religious establishments of the above-mentioned minorities. Facilities and authorisation will be granted to the pious foundations, and to the religious and charitable institutions of the said minorities at present existing in Turkey, and the Turkish Government will not refuse, for the formation of new religious and charitable institutions, any of the necessary facilities which are guaranteed to the other private institutions of that nature.

Article 42.

Turkish nationals, belonging to non-Moslem minorities, shall not be compelled to perform any act which constitutes a violation of their faith or religious observances, and shall not be placed under any disability by reason of their refusal to attend Courts of Law or to perform any legal business on their weekly day of rest.

This provision, however, shall not exempt such Turkish

turcs des obligations imposées à tous autres ressortissants turcs en vue du maintien de l'ordre public.

Article 43.

La Turquie convient que, dans la mesure où les articles précédents de la présente section affectent les ressortissants non musulmans de la Turquie, ces stipulations constituent des obligations d'intérêt international et soient placées sous la garantie de la Société des Nations. Elles ne pourront être modifiées sans l'assentiment de la majorité du Conseil de la Société des Nations. L'Empire Britannique, la France, l'Italie et le Japon, s'engagent, par les présentes, à ne pas refuser leur assentiment à toute modification desdits articles, qui serait consentie en due forme par la majorité du Conseil de la Société des Nations.

La Turquie agrée que tout membre du Conseil de la Société des Nations aura le droit de signaler à l'attention du Conseil toute infraction ou danger d'infraction à l'une quelconque de ces obligations, et que le Conseil pourra procéder de telle façon et donner telles instructions qui paraîtront appropriées et efficaces dans la circonstance.

La Turquie agrée, en outre, qu'en cas de divergence d'opinions sur des questions de droit ou de fait concernant ces articles, entre le Gouvernement turc et l'une quelconque des autres Puissances signataires ou toute autre Puissance, membre du Conseil de la Société des Nations, cette divergence sera considérée comme un différend ayant un caractère international selon les termes de l'article 14 du Pacte de la Société des Nations. Le Gouvernement turc agrée que tout différend de ce genre sera, si l'autre partie le demande, déféré à la Cour Permanente de Justice Internationale. La décision de la Cour Permanente sera sans appel et aura la même force et valeur qu'une décision rendue en vertu de l'article 13 du Pacte.

Article 44.

Les droits reconnus par les stipulations de la présente Section aux minorités non musulmanes de la Turquie, sont également reconnus par la Grèce à la minorité musulmane se trouvant sur son territoire.

nationals from such obligations as shall be imposed upon all other Turkish nationals for the preservation of public order.

Article 43.

Turkey agrees that, in so far as the preceding Articles of this Section affect non-Moslem nationals of Turkey, these provisions constitute obligations of international concern and shall be placed under the guarantee of the League of Nations. They shall not be modified without the assent of the majority of the Council of the League of Nations. The British Empire, France, Italy and Japan hereby agree not to withhold their assent to any modification in these Articles which is in due form assented to by a majority of the Council of the League of Nations.

Turkey agrees that any Member of the Council of the League of Nations shall have the right to bring to the attention of the Council any infraction or danger of infraction of any of these obligations, and that the Council may thereupon take such action and give such directions as it may deem proper and effective in the circumstances.

Turkey further agrees that any difference of opinion as to questions of law or of fact arising out of these Articles between the Turkish Government and any one of the other signatory Powers or any other Power, a member of the Council of the League of Nations, shall be held to be a dispute of an international character under Article 14 of the Covenant of the League of Nations. The Turkish Government hereby consents that any such dispute shall, if the other party thereto demands, be referred to the Permanent Court of International Justice. The decision of the Permanent Court shall be final and shall have the same force and effect as an award under Article 13 of the Covenant.

Article 44.

The rights allowed by the provisions of the present section to the non-Moslem minorities of Turkey will be similarly allowed by Greece to the Moslem minority in her territory.

PARTIE II.

CLAUSES FINANCIERES.

SECTION I.

Dette Publique Ottomane.

Article 45.

Les Etats de la Péninsule balkanique, les îles visées à l'article 15 du présent Traité et les Etats nouvellement créés en Asie, en faveur desquels un territoire a été détaché de la Turquie soit à la suite des guerres balkaniques en 1912-13 soit en vertu du présent Traité, devront participer, dans les conditions indiquées ci-dessous, aux charges annuelles afférentes au service de la Dette Publique Ottomane, telle qu'elle est définie dans le Tableau ci-annexé (voir Annexe 1), sous réserve des dispositions contenues dans l'article 50.

Ces Etats devront, dans le délai de trois mois à compter du jour où la notification leur aura été faite, aux termes de l'article 51, de la part qui leur incombe respectivement dans les charges annuelles ci-dessus visées, donner au Conseil de la Dette des gages suffisants pour le paiement de leur part.

Dans le cas où ces gages n'auraient pas été constitués dans le délai indiqué ci-dessus, comme en cas de divergence sur la convenance des gages constitués ou des modalités de paiement, il pourra être fait appel au Conseil de la Société des Nations par tout gouvernement intéressé ou par le Conseil de la Dette Publique Ottomane, ce dernier étant autorisé à agir, à cet égard, pour le compte de tous les porteurs de la Dette Publique Ottomane telle qu'elle est définie dans le Tableau ci-annexé.

Le Conseil de la Société des Nations pourra confier la perception des revenus donnés en gage aux organisations financières internationales existant dans les pays annexants. Les décisions du Conseil de la Société des Nations seront souveraines.

A compter des dates fixées par l'article 52, la Turquie ne pourra pas être rendue responsable des parts contributives mises à la charge des autres Etats.

Article 46.

Par application du dernier alinéa de l'article 45, le capital nominal de la Dette Publique Ottomane qui est déterminée dans cet article pourra, avec le consentement des porteurs, être réparti entre les Etats intéressés

PART II.

FINANCIAL CLAUSES.

SECTION I.

Ottoman Public Debt.

Article 45.

States of the Balkan Peninsula, the islands referred to in Article 15 of the present Treaty and the newly-created States in Asia, in favour of whom territory has been detached from Turkey, either after the Balkan wars of 1912-13 or under the present Treaty, shall participate, under the conditions laid down in this part, in the annual charge for the service of the Ottoman Public Debt, as defined in the Table annexed to this part (*see* Annex 1), subject to the provisions of Article 50.

These States shall, within three months from the date on which they are notified under Article 51 of the share of the above annual charge allotted to them respectively, give to the Council of the Debt adequate guarantees for the payment of such share.

In the case of any failure to give such guarantees within the above period, and in the case of any disagreement as to the sufficiency of the guarantees and method of payment proposed, it shall be open to any of the Governments concerned and the Council of the Debt (which shall for this purpose be authorised to act on behalf of the holders of the Ottoman Public Debt, as defined in Annex 1 to this part) to appeal to the Council of the League of Nations.

The Council of the League of Nations shall be empowered to entrust the collection of the revenues assigned as a guarantee to any international financial organisations already existing in the countries concerned. The decisions of the Council of the League of Nations shall be final

From the dates laid down by Article 52 Turkey shall no longer be held responsible for the shares assigned to other States.

Article 46.

In conformity with the last paragraph of Article 45, the nominal capital of the Ottoman Public Debt as defined in that Article may, with the consent of the bondholders, be divided between the States concerned, if

si un de ces Etats en fait la demande dans un délai de trois mois à compter de la date de la mise en vigueur du présent Traité. Cette répartition devra être faite d'après les proportions adoptées pour le partage des annuités et en tenant compte des stipulations des Conventions d'emprunt ou d'avances et des dispositions de la présente Section.

Une Commission sera, le cas échéant, réunie à Paris en vue de fixer les modalités de cette répartition. Elle sera composée des délégués du Gouvernement turc, des délégués de chacun des Etats susmentionnés, des membres du Conseil de la Dette Publique Ottomane et des représentants de la Dette Publique Ottomane autre que la Dette unifiée et les Lots turcs.

Le paiement des parts contributives ne pourra pas être différé par suite des dispositions ci-dessus.

Article 47.

La Turquie s'entendra avec le Conseil de la Dette, dans le délai fixé à l'article 45 pour compléter, s'il y a lieu, les gages existants de façon à assurer en totalité le service de la portion d'annuité restant à sa charge.

Article 48.

La répartition des charges annuelles, dont il est fait mention à l'article 45 aura lieu de la manière suivante :

1° Les annuités afférentes aux emprunts antérieurs au 17 octobre 1912, seront réparties entre la Turquie et les Etats balkaniques en faveur desquels un territoire a été détaché de la Turquie à la suite des guerres balkaniques de 1912-13 en tenant compte des changements territoriaux intervenus depuis la mise en vigueur des Traités qui ont mis fin à ces guerres ou des Traités postérieurs.

2° Le solde des annuités restant à la charge de la Turquie après cette première répartition, augmenté des annuités afférentes aux emprunts contractés par la Turquie entre le 17 octobre 1912 et le 1er novembre 1914, sera réparti entre la Turquie, les Iles visées à l'article 15, les Etats balkaniques, et les Etats nouvellement créés en Asie, en faveur desquels un territoire a été détaché de la Turquie en vertu du présent Traité.

Article 49.

Le montant de l'annuité à payer par chaque Etat intéressé

one of these States so requests within a period of three months from the date of the coming into force of the present Treaty. This division shall be made on the same basis as that laid down for the division of the annuities and with due regard to the terms of the contracts relating to the loans or advances and to the provisions of this Section.

A Commission shall, if necessary, meet at Paris in order to decide the method in which this division shall be carried out. The Commission shall consist of representatives of the Turkish Government, representatives of each of the above-mentioned States, the members of the Council of the Ottoman Public Debt and representatives of the Ottoman public debt other than the Unified Debt and the "Lots turcs."

The payment of the annuities shall not be suspended in consequence of the above provisions.

Article 47.

Turkey shall, within the period laid down by Article 45, arrange with the Council of the Debt to supplement, if necessary, the present assigned revenues in such a manner as to ensure the payment in full of the share of the annuity for which she remains responsible.

Article 48.

The distribution of the annual charge referred to in Article 45 shall be effected in the following manner:

1. Annuities arising from loans prior to the 17th October, 1912, shall be distributed between Turkey and the Balkan States in favour of whom territory was detached from Turkey after the Balkan wars of 1912-13, on the basis of the territorial changes which have occurred under the treaties made at the conclusion of those wars or under subsequent treaties.

2. The residue of the annuities for which Turkey remains liable after the first distribution, together with the annuities arising from loans contracted by Turkey between the 17th October, 1912, and the 1st November, 1914, shall be distributed between Turkey, the islands referred to in Article 15 of the present Treaty, the Balkan States, and the newly-created States in Asia in whose favour territory is detached from Turkey under the present Treaty.

Article 49.

The amount of the annuity to be paid by each of the Govern

devra être, vis-à-vis de la somme totale exigée pour le service de la Dette Publique Ottomane, dans la même proportion que le revenu moyen du territoire transféré vis-à-vis du revenu moyen total de la Turquie pendant les années financières 1910-1911 et 1911-1912, y compris dans chaque cas, le produit des surtaxes douanières établies en 1907.

Article 50.

Une divergence de vues s'étant manifestée en ce qui concerne la répartition entre la Turquie et les Etats de la Péninsule Balkanique, les îles visées à l'article 15 du présent Traité et les Etats nouvellement créés en Asie en faveur desquels un territoire a été détaché de la Turquie, des charges qui incombent ou incombaient à l'Empire Ottoman du chef des garanties kilométriques dont jouissent ou jouissaient certaines lignes de chemins de fer, il a été décidé de soumettre ce différend à la Cour Permanente de Justice Internationale de La Haye (voir Annexe II), dont les Hautes Parties Contractantes s'engagent à accepter la décision. Jusqu'à ce que cette décision soit rendue, le paiement des parts contributives aura lieu provisoirement en conformité du Tableau annexé à la présente Section (voir Annexe I).

Article 51.

Le Conseil de la Dette Publique Ottomane devra, dans un délai maximum de trois mois à dater de la mise en vigueur du présent Traité, déterminer sur les bases établies par l'article 49 le montant des annuités incombant à chacun de ces Etats et leur notifier ce montant.

Les Etats intéressés auront la faculté d'envoyer à Constantinople des délégués pour suivre les travaux du Conseil de la Dette Publique Ottomane ayant pour objet la fixation des annuités qui leur incombe ront.

Le Conseil de la Dette remplira les fonctions qui sont prévues par l'article 134 du Traité de Paix du 27 novembre 1919 avec la Bulgarie.

Tous différends pouvant surgir entre les Parties intéressées sur l'application des principes contenus dans le présent article, devront être déférés au Conseil de la Société des Nations dans un délai de trois mois à dater de la notification prévu à l'alinéa 1er et seront tranchés par un arbitre désigné par ledit Conseil. Ces pourvois ne seront pas suspensifs.

ments concerned shall bear the same proportion to the sum required for the total service of the Ottoman Public Debt as the average revenue from the transferred territory bore to the average revenue from the whole of Turkey over the financial years 1910-11 and 1911-12. The yield of the customs surtax imposed in 1907 shall be included in each case.

Article 50.

A difference of opinion having arisen on the subject of the division between Turkey and the States of the Balkan Peninsula and the islands referred to in Article 15 of the present Treaty and the newly-created States in Asia in favour of which territory has been detached from Turkey of the payments for which the Ottoman Empire is or was liable on account of kilometric guarantees granted to certain railways, it has been decided to submit this difference to the Permanent Court of International Justice at The Hague (*see* Annex II), and the High Contracting Parties undertake to accept the decision of this Court. Until this decision is given the payment of the annuities will be made provisionally in accordance with the table annexed to this Section (*see* Annex I).

Article 51.

The Council of the Ottoman Public Debt shall, not more than three months after the coming into force of the present Treaty, determine the amounts of the annuities payable by each of the Governments concerned, and shall notify those Governments of such amounts.

The States concerned shall be granted an opportunity to send to Constantinople delegates to check the calculations by which the Council of the Ottoman Public Debt will determine the amount of the annuities for which these States are to be liable.

The Council of the Debt shall fulfil the functions provided for in Article 134 of the Treaty of Peace with Bulgaria of the 27th November, 1919.

Any disputes arising in respect of the provisions of this Article between the parties concerned shall be referred within three months from the date of the notification referred to in the first paragraph to the Council of the League of Nations and shall be decided by an arbitrator appointed by the Council. Such reference shall not delay the execution of this Article.

Article 52.

Les annuités dues par les Etats qui ont annexé des territoires détachés de la Turquie à la suite des guerres balkaniques, seront exigibles à dater de la mise en vigueur des Traités qui ont consacré l'annexion de ces territoires aux Etats balkaniques. Les annuités dues par les Etats qui ont acquis des territoires détachés de la Turquie en vertu du présent Traité, seront exigibles à dater du 1er mars 1920.

Sous la réserve prévue à l'article 55, ces annuités continueront à être dues jusqu'à la liquidation définitive de la dette à laquelle elles se rapportent. Toutefois, elles seront, proportionnellement réduites au fur et à mesure que les emprunts, qui constituent cette dette, arriveront à extinction conformément aux dates spécifiées par les contrats visés dans la colonne 2 du Tableau ci annexé (voir Annexe I).

Les Bons du Trésor de 1911, 1912 et 1913 énumérés audit Tableau, seront stipulés remboursables, avec intérêts, dans le délai de dix ans après les dates inscrites dans la colonne 8.

Article 53.

Le Gouvernement turc s'entendra avec le Conseil de la Dette sur les mesures à prendre pour compléter le montant des coupons arriérés de la Dette Publique Ottomane, en tenant compte des arrangements qui devront intervenir entre le Conseil et les Etats visés à l'article 45 pour le règlement des annuités qui n'auraient pas été payées à la date de la mise en vigueur du présent Traité. Le règlement de ces dernières annuités devra être effectué sans intérêts dans le délai de vingt années à compter de la mise en vigueur du présent Traité.

Article 54.

Le Gouvernement turc se reconnaît débiteur envers le Conseil de la Dette d'une somme équivalente au produit des revenus affectés jusqu'à présent au service de la Dette Publique Ottomane dans les territoires restant turcs et qui auraient dû être versés, mais n'ont pas encore été versés, au Conseil de la Dette, à moins que ces territoires n'aient été occupés par les forces alliées, et excepté dans ce cas, pour la période d'occupation. Le Gouvernement turc s'entendra avec le Conseil de la Dette sur le mode de règlement de cette somme

Article 52.

The annuities above provided will, in the case of territories detached from Turkey after the Balkan wars of 1912-13, be payable as from the date of the coming into force of the treaties by which the respective territories were detached from Turkey, and, in the case of territories detached under the present Treaty, from the 1st March, 1920.

The annuities shall continue to be payable (except as provided by Article 55) until the date on which the final liquidation of the debt is due to take place. They shall, however, be proportionately reduced as the loans constituting the debt are due to be extinguished on the dates on which the loans are due to be repaid in accordance with the contracts referred to in column 2 of the annexed Table (*see* Annex I.).

For this purpose, however, the Treasury Bonds of 1911, 1912 and 1913, referred to in this Table, shall be deemed to be repayable ten years later than the dates set forth in column 8.

Article 53.

The Turkish Government shall concert with the Council of the Debt in regard to the steps to be taken to make up any deficiencies in the amount required for the arrears of the coupons of the Ottoman Public Debt, due regard being had to the arrangements which are to be made between the Council of the Debt and the Governments referred to in Article 45 for the discharge of the annuities which had not been paid at the date of the coming into force of the present Treaty. The amounts due in respect of these annuities shall be paid without interest within 20 years from the coming into force of the present Treaty.

Article 54.

The Turkish Government recognises as a liability due by it to the Council of the Debt a sum equal to the arrears of any revenues hereto affected to the service of the Ottoman Public Debt within the territories remaining Turkish, which should have been but have not been paid to the Council of the Debt, except where such territories have been in the military occupation of Allied forces, and for the time of such occupation. The Turkish Government shall concert with the council of the Debt in regard to the method of payment of this sum.

Article 55.

Chacun des Etats, qui aux termes du présent Traité doivent supporter annuellement une part du service de la Dette Publique Ottomane, pourra, moyennant un préavis de six mois au Conseil de la Dette, racheter cette obligation en tout ou en partie par le versement d'une somme représentant la valeur de l'annuité en question ou d'une partie de cette annuité capitalisée à un taux d'intérêt qui sera fixé, ainsi que les conditions de rachat, d'un commun accord par l'Etat intéressé et par le Conseil de la Dette.

Le Conseil de la Dette n'aura pas le droit d'exiger ce rachat.

Article 56.

Le décret de Mouharrem et les décrets annexés du 14 septembre 1903, du 24 mai/4 juin 1911, ainsi que les décrets afférents aux emprunts contractés avant le 1er novembre 1914, sont confirmés.

Le Gouvernement turc s'engage à exécuter, en tout ce qui le concerne, les dispositions de l'article 258 du Traité de Paix du 28 juin 1919 avec l'Allemagne et les dispositions correspondantes des Traités de Paix du 10 septembre 1919 avec l'Autriche et du 4 juin 1920 avec la Hongrie, aux termes desquelles ces Puissances ont renoncé à toute représentation ou participation dans toutes organisations et commissions de contrôle ou de gestion financière ou économique en Turquie.

Article 55.

Any of the Governments which under the present Treaty are to contribute to the annual charge for the service of the Ottoman Public Debt may, upon giving six months' notice to the Council of the Debt, redeem, either in whole or in part, such obligation by payment of a sum representing the value of such contribution, or a part thereof, capitalised at such rate of interest and on such terms as may be agreed between the Government concerned and the Council of the Debt.

The Council of the Debt shall not have the power to require such redemption.

Article 56.

The decree of Mouharrem and the decrees of the 14th September, 1903, and the 24th May/4th June, 1911, annexed thereto, as well as the decrees relating to the loan contracts prior to the 1st November, 1914, are confirmed.

The Turkish Government agrees to carry out, so far as it is concerned, the provisions of Article 258 of the Treaty of Peace of 28th June, 1919, with Germany and of the corresponding Articles in the Treaties of Peace of 10th September, 1919, with Austria and of 4th June, 1920, with Hungary, in accordance with which those countries have renounced all right to be represented on or take part in all organisations and commissions of financial or economic control or administration in Turkey.

ANNEXE I A LA SECTION I.

Dette Publique Ottomane Antérieure au novembre, 1914.

EMPRUNT	Date du Contrat.	Intérêt.	Fonds d'amortissement Livres turques or	Capital nominal originairement émis Livres turques or	Capital nominal actuellement en circulation Livres turques or	Annuité nécessaire pour le service et l'amortissement Livres turques or	Période d'amortissement	BANQUE D'ÉMISSION
1	2.	3	4	5	6	7	8	9
		Par cent.	Per cent					
Dette unifiée	1854-1903 et 1914	4	1 pour 1 pour 1914	106,000,000	97,781,000	4,240,000	Perpétuelle	Banque Impériale Ottomane.
Lots turcs	1858	—	—	2,484,000	1,943,000	220,000	Tirages annuels	Banque Impériale Ottomane.
Obligations	1858	6	1	4,000,000	2,000,000	240,000	1941	Banque Impériale Ottomane.
Dette de Zeïbek	1894	4	1	1,000,000	841,000	50,000	1944	Banque Impériale Ottomane.
Emprunt des Chemins de fer anatoliens	1894	4	1 pour 35	1,700,000	1,462,000	76,000	1947	Banque de Salonique et Banque Impériale Ottomane.
Régie	1901, 1903 et 1908	5	1 pour 55	3,000,000	2,940,000	165,000	1955	Banque Impériale Ottomane.
Domaines	1903	4	1 pour 50	8,000,000	7,920,000	400,000	1956	Banque Impériale Ottomane.
Unifié	1903	4	1 pour 50	5,000,000	4,950,000	250,000	1956	Banque Impériale Ottomane.
Emprunt 1903	1903	4	1 pour 50	8,000,000	7,920,000	400,000	1956	Banque Impériale Ottomane.
Unifié	1903	4	1 pour 50	5,000,000	4,950,000	250,000	1956	Banque Impériale Ottomane.
Emprunt 1903 Domaines	1903	4	1 pour 50	8,000,000	7,920,000	400,000	1956	Banque Impériale Ottomane.
Unifié	1903	4	1 pour 50	5,000,000	4,950,000	250,000	1956	Banque Impériale Ottomane.
Emprunt 1903 Régie

Europe conformément aux termes des contrats d'emprunts (voir article 1er du Décret annexe de Septembre 1903 et les contrats d emprunt *passim*).

La définition de la livre turque-or, en ce qui concerne ces colonnes, ne signifie pas que les provisions pour les coupons et le fonds d'amortissement doivent être faites en or, mais que le chiffre en livres turques doit être calculé à un taux de change tel qu'il soit possible aux porteurs de se faire payer dans la monnaie à laquelle ils ont droit, et que les calculs ont été faits en supposant qu'une ou plusieurs des monnaies, dans lesquelles le porteur d'emprunt peut demander le paiement, sont au pair de l'or.

" Décret-Annexe " of September, 1903, and the Loan Contracts, *passim*.)

The fact that the figures are given in £T. gold in these columns does not signify that the provisions for the coupons and sinking funds are to be made in gold, but that the figure in £T. has to be calculated according to such rate of exchange as will enable the bondholder to be paid in the currency to which he is entitled, and that the calculations have been made on the assumption that one or more of the currencies in which the bondholder can claim payment stands at gold par.

ANNEXE II.

PROJET DE QUESTIONS A SOUMETTRE A LA COUR PERMANENTE DE JUSTICE INTERNATIONALE DE LA HAYE.

Aux termes de l'article 45 (Clauses financières) du Traité de Paix signé à Lausanne le..... 19.....

" Les Etats de la Péninsule
" balkanique, les îles visées, à
" l'article 15 du présent Traité,
" et les Etats nouvellement
" créés en Asie, en faveur
" desquels un territoire a été
" détaché de la Turquie soit à
" la suite des guerres bal-
" kaniques en 1912-13 soit en
" vertu du présent Traité,
" devront participer, dans les
" conditions indiquées ci-des-
" sous, aux charges annuelles
" afférentes au service de la
" Dette Publique Ottomane,
" telle qu'elle est définie dans
" le Tableau ci-annexé (voir
" Annexe I), sous reserve des
" dispositions contenues dans
" l'article 50."

Dans ces conditions, il a été décidé de poser à la Cour Permanente de Justice Internationale de La Haye les questions suivantes:

Première question:

Doit-on inscrire dans le tableau de la Dette Publique Ottomane à répartir entre la Turquie et les Etats de la Péninsule Balkanique, les îles visées à l'article 15 du Traité signé à Lausanne, le..... et les Etats nouvellement créés en Asie, en faveur desquels un territoire a été détaché de la Turquie, les charges qui incombent ou incombaient à l'Empire ottoman du chef de la garantie kilométrique, dont jouissent ou jouissaient certaines lignes de chemins de fer?

ANNEX II

QUESTIONS TO BE SUBMITTED TO THE PERMANENT COURT OF INTERNATIONAL JUSTICE AT THE HAGUE.

By Article 45 of the Treaty with Turkey signed at Lausanne on ....., it is provided that

"The States of the Balkan Peninsular, the islands referred to in Article 15 of the present Treaty and the newly created States in Asia in favour of whom territory has been detached from Turkey either after the Balkan Wars of 1912-1913 or under the present Treaty shall participate under the conditions laid down in this Part in the annual charge for the service of the Ottoman Public Debt as defined in the Table annexed to this Part (*see* Annex I), subject to the provisions of Article 50."

Accordingly it has been decided to put to the Permanent Court of International Justice at The Hague the following questions:—

First Question:

Should there be included in the Table of the Ottoman Public Debt to be distributed between Turkey and the States of the Balkan Peninsula and the islands referred to in Article 15 of the Peace Treaty signed at Lausanne on the ....., and the newly created States in Asia in favour of which territory has been detached from Turkey the payments for which the Turkish Empire is or was liable on account of the kilometric guarantees to which certain railways are entitled?

Deuxième question:

Dans le cas où les charges relatives aux lignes jouissant d'une garantie kilométrique ne seraient pas admises à figurer parmi les dettes à répartir, les charges relatives aux lignes de chemin de fer de Bagdad, de Soma-Panderma et de Hodéida-Sanaa, doivent-elles être éliminées du Tableau de la Dette à répartir?

Second Question:

If the payments in connection with the railways entitled to kilometric guarantees are not included in the Debt to be distributed, should there be removed from the table of the Debt to be included the payments in connection with the Bagdad, Soma-Panderma and Hodeida-Sanaa railways?

SECTION II

REPARATIONS.

Article 57.

Entre la Turquie et les autres Puissances Contractantes (à l'exception de la Grèce), les revendications des ressortissants desdites Puissances contre le Gouvernement turc pour les pertes et dommages subis par eux pendant la période comprise entre le 1er Août 1914 et la mise en vigueur du présent Traité et les revendications de même nature des ressortissants turcs contre les Gouvernements desdites Puissances seront compensées moyennant le paiement d'une soulte de Ltq. 15,000,000 or qui sera versée par le Gouvernement turc auxdits Gouvernements. Les modalités de ce versement sont définies par les dispositions ci-dessous.

Ledit versement réglera définitivement les réclamations pécuniaires que les Hautes Parties Contractantes ont à formuler les unes contre les autres relativement à des faits survenus entre le 1er Août 1914 et la mise en vigueur du présent Traité, y compris les réclamations qui, bien qu'intéressant primitivement les ressortissants respectifs des Parties, impliqueraient ultérieurement un paiement direct ou indirect d'un Gouvernement au profit d'un autre Gouvernement.

Article 58.

La Grèce et la Turquie renoncent réciproquement, l'une à l'égard de l'autre, à tout remboursement de dommages causés à leurs nationaux pendant la période visée à l'Article 57.

Article 59.

Pour s'acquitter des obligations qui lui incombent en vertu de l'Article 57, le Gouvernement turc versera au Conseil de la Dette Publique Ottomane 37 annuités de 900,000 livres turques or, représentant chacune l'intérêt calculé à 5% et l'amor

SECTION II.

REPARATION.

Article 57.

As between Turkey and the other Contracting Powers (with the exception of Greece) the claims of nationals of the said Powers against the Turkish Government for loss and damage suffered by them between the 1st August, 1914, and the coming into force of the present Treaty and the similar claims of Turkish subjects against the said Government shall be deemed to be finally settled by the payment of a balance of 15 million pounds Turkish gold which shall be made by the Turkish Government to the aforesaid Governments. This payment shall be made in the manner laid down in the following provisions.

The said payment shall form a final settlement of all pecuniary claims on the one side or the other arising out of events which occurred between the 1st August, 1914, and the coming into force of the present Treaty, including claims which, although primarily between nationals, ultimately involve a direct or indirect payment from government to government.

Article 58.

Greece and Turkey mutually renounce all claims to payment for damage caused to their nationals between the dates referred to in Article 57.

Article 59.

In discharge of the obligations incumbent upon it in accordance with Article 57 the Turkish Government shall pay to the Council of the Ottoman Public Debt 37 annuities of 900,000 pounds Turkish gold representing the interest at 5 per cent.

tissement calculé à 1% de la somme de 15 millions de Ltq. or. La première annuité viendra à échéance le 1er Mars 1924.

Article 60.

Le Gouvernement Turc devra affecter irrevocablement au Conseil de la Dette Publique Ottomane des gages suffisants pour garantir le paiement des annuités mises à sa charge. Ces gages seront gérés par le Conseil de la Dette Publique Ottomane. Les revenus donnés en gage devront être agréés par le Conseil de la Dette et avoir produit pendant chacune des deux années précédant leur affectation, une somme supérieure d'au moins 15%, au montant des annuités à garantir.

Le Gouvernement Turc s'engage, dans le cas où le produit des revenus visés à l'alinéa précédent deviendrait insuffisant, à combler le déficit en procédant à de nouvelles affectations de recettes.

Les revenus donnés en gage devront comprendre dans tous les cas le produit des concessions existantes ou à créer.

Le Gouvernement turc devra, avant leur promulgation, demander l'avis du Conseil de la Dette sur tous les contrats de nouvelles concessions ou de prorogation de concessions, à accorder à des ressortissants ottomans ou de tous autres.

Afin de permettre au Conseil de la Dette de remplir sa mission en toute connaissance de cause, le Gouvernement turc devra donner au Conseil et à son représentant toutes les facilités nécessaires pour l'accomplissement de sa mission auprès des administrations intéressées.

Article 61.

Le Conseil de la Dette s'entendra avec le Gouvernement Turc pour la création de titres au porteur, représentant un montant nominal de 15 millions de livres turques or, qui porteront la signature du Gouvernement Turc et dont le service sera assuré par les annuités prévues. Ces titres seront appelés " Bons de Liquidation "; leur forme et leur montant seront arrêtés par le Conseil de la Dette.

Les Bons de Liquidation seront exempts de toutes taxes et de tous impôts établis ou à établir en Turquie.

Article 62.

Les Bons de Liquidation seront remis par le Conseil de la Dette aux Gouvernements intéressés ou

and sinking fund at 1 per cent. upon the sum of 15,000,000 pounds Turkish gold. The first annuity shall be payable on the 1st March, 1924.

Article 60.

The Turkish Government shall irrevocably assign to the Council of the Ottoman Public Debt sufficient revenues to ensure the payment of the annuities for which it is liable. These revenues shall be administered by the Council of the Debt. The revenues assigned as guarantee must be accepted by the Council of the Debt and must have produced during each of the two years preceding their assignment an amount greater by at least 15 per cent. than the annuities to be guaranteed.

The Turkish Government undertakes in the event of the revenues referred to in the preceding paragraph proving insufficient to meet the deficit by assigning new revenues.

The assigned revenues shall include the proceeds of existing or future concessions.

The Turkish Government will submit to the Council of the Debt for their advice, before promulgation, all new concession contracts or prolongations of existing concessions, whether in favour of Turkish subjects or any other persons.

In order that the Council may fulfil its task with full knowledge of the circumstances, the Turkish Government will give all facilities which may be desired to any such persons as the Council may nominate to represent it before the competent Government Departments.

Article 61.

The Council of the Debt shall concert with the Turkish Government for the issue of bearer bonds of the nominal value of 15 million gold Turkish pounds bearing the signature of the Turkish Government, the service of which shall be met by the annuities referred to above. These bonds shall be entitled " Liquidation Bonds," and shall be in the form and denominations laid down by the Council of the Debt.

The Liquidation Bonds shall be free of all taxes and charges established or to be established in Turkey.

Article 62.

The Liquidation Bonds shall be delivered by the Council of the Debt to the Governments con-

à telle autorité qui sera désignée par eux pour être distribués aux ayants-droit.

Article 63.

Le Conseil de la Dette fera le service de l'intérêt et de l'amortissement des Bons de Liquidation. L'amortissement aura lieu par tirage au sort, conformément à un tableau établi par le Conseil de la Dette.

Les dépenses relatives à l'émission et au service des Bons de Liquidation seront supportées par le Gouvernement turc et payées sur le produit des gages affectés à la garantie des bons. Elles auront sur ces gages un privilège de premier rang.

Article 64.

Le Gouvernement turc aura à toute époque le droit de rembourser au pair la totalité ou une partie des bons restant en circulation.

Le Gouvernement turc aura également le droit de racheter aux porteurs les bons à telles conditions qui pourront être convenues entre eux et le Gouvernement.

Les bons ainsi rachetés devront être présentés pour annulation au Conseil de la Dette et les annuités à verser par le Gouvernement turc seront réduites en conséquence.

SECTION 3.

CLAUSES DIVERSES.

Article 65.

Les Etats en faveur desquels un territoire a été détaché de la Turquie, acquerront gratuitement tous biens et propriétés situés dans ce territoire et enregistrés au nom de l'Empire Ottoman et de la Liste Civile.

Article 66.

Les bénéficiaires de pensions civiles et militaires turques devenus, en vertu du présent Traité, ressortissants d'un Etat autre que la Turquie, ne pourront exercer du chef de leurs pensions aucun recours contre le Gouvernement turc.

Article 67.

La Turquie reconnaît le transfert de toutes les créances que l'Allemagne, l'Autriche, la Bulgarie et la Hongrie possèdent contre elle, conformément à l'article 261 du Traité de Paix conclu à Versailles le 28 juin 1919 avec l'Allemagne et aux articles correspondants des Traités de Paix du 10 septembre

cerned or to such authority as may be nominated by them, in order that the Bonds may be distributed to those entitled thereto.

Article 63.

The Council of the Debt shall undertake the service of the interest and sinking fund of the Liquidation Bonds. The Bonds to be amortised shall be drawn by lot in accordance with a table drawn up by the Council of the Debt.

The expenses in connection with the issue and service of the Liquidation Bonds shall be borne by the Turkish Government and met from the proceeds of the revenues assigned to the Bonds. They shall form a first charge upon such revenues.

Article 64.

The Turkish Government shall be entitled at any time to repay at par the whole or a part of the Bonds outstanding.

The Turkish Government shall also be entitled to purchase bonds from the holders upon conditions to be agreed upon between such holders and the Turkish Government.

The Bonds so purchased shall be presented to the Council of the Debt for cancellation and the annuities payable by the Turkish Government shall be proportionately reduced.

SECTION III.

MISCELLANEOUS CLAUSES.

Article 65.

States in whose favour territory is detached from Turkey shall acquire without payment all property and possessions situated therein belonging to or registered in the name of the Turkish Empire or of the Civil List.

Article 66.

The recipients of Turkish civil and military pensions who acquire under the present Treaty the nationality of a State other than Turkey shall have no claim against the Turkish Government in respect of their pensions.

Article 67.

Turkey recognises the transfer to the Allied Powers of any claims to payment or repayment which Germany, Austria, Bulgaria or Hungary may have against her, in accordance with Article 261 of the Treaty of Peace concluded at Versailles on the 28th June, 1919, with Germany, and the corresponding Articles of

1919 avec l'Autriche, du 27 novembre 1919 avec la Bulgarie et du 4 juin 1920 avec la Hongrie

Les autres Puissances Contractantes conviennent de ne demander aucun paiement à la Turquie sur les créances qui leur sont ainsi transférées.

Les créances que la Turquie possède contre l'Allemagne, l'Autriche, la Bulgarie et la Hongrie sont également transférées auxdites Puissances Contractantes.

Article 68.

Le Gouvernement turc, d'accord avec les autres Puissances Contractantes, déclare libérer le Gouvernement allemand des obligations contractées par celui-ci pendant la guerre d'accepter des billets émis par le Gouvernement turc à un taux de change déterminé, en paiement de marchandises à exporter d'Allemagne en Turquie après la guerre.

Article 69.

Les sommes en or transférées par l'Allemagne et l'Autriche en vertu de l'article 259—1° du Traité de Paix du 28 juin 1919 avec l'Allemagne et de l'article 210-1° du Traité de Paix du 10 septembre 1919 avec l'Autriche, seront remises à la Turquie, sous la seule réserve de servir de garantie supplémentaire au paiement des cinq premières annuités dues en vertu de la Section 2 de la présente Partie et aux conditions suivantes:

Si le paiement de ces annuités a lieu à l'échéance, une somme en or équivalente à la somme versée par le Gouvernement turc sera mise immédiatement à la disposition de ce Gouvernement. Après le paiement de la cinquième annuité, le Gouvernement turc recevra le solde des sommes en or visées par l'alinéa précédent.

Si, pour une raison quelconque, les annuités dues par la Turquie aux autres Puissances Contractantes n'étaient pas payées à l'échéance ou n'étaient payées qu'incomplètement, lesdites sommes en or seraient immédiatement employées au règlement de ces annuités.

Sont annulées toutes obligations de paiement mises à la charge du Conseil d'Administration de la Dette Publique Ottomane tant par la Convention du 20 juin 1331 (3 juillet 1915) relative aux bons de monnaie turcs de la première émission, que par le texte porté au verso de ces bons, le

the Treaties of Peace of 10th September, 1919, with Austria, of 27th November, 1919, with Bulgaria, and of 4th June, 1920, with Hungary.

The other Contracting Powers agree not to require from Turkey any payment in respect of claims so transferred.

The claims which Turkey has against Germany, Austria, Bulgaria and Hungary are also transferred to the aforesaid Contracting Powers.

Article 68.

The Turkish Government, in agreement with the other Contracting Powers, hereby releases the German Government from the obligation incurred by it during the war to accept Turkish Government currency notes at a specified rate of exchange in payment of goods to be exported to Turkey from Germany after the war.

Article 69.

The sums of gold transferred by Germany and Austria in accordance with Article 259 (1) of the Treaty of Peace of 28th June, 1919, with Germany and Article 210 (1) of the Treaty of Peace of 10th September, 1919, with Austria shall be delivered to Turkey subject only to their being employed as an additional guarantee for the payment of the five first annuities due in accordance with Section II of the present Part and to the following conditions.

If these annuities are paid at their due date, an amount of gold equivalent to the amount paid by the Turkish Government shall be forthwith placed at the disposal of that Government. After the payment of the fifth annuity the Turkish Government shall receive the balance of the sums of gold referred to in the preceding paragraph.

If for any reason the annuities due by Turkey to the other Contracting Powers are not paid on their due date or are only paid to a partial extent the aforesaid sums of gold shall be forthwith utilised in order to make up the total of the annuities.

The Council of the Administration of the Ottoman Public Debt is hereby absolved from all obligations to make any payments incumbent on it under the Convention of the 20th June, 1331 (the 3rd July, 1915), on the subject of the Turkish paper money of the first issue or under the

Gouvernement turc demeurant responsable vis-à-vis des porteurs de ces mêmes bons.

Article 70.

Le Gouvernement turc confirme la validité et assurera l'exécution de tous contrats et règlements intervenus antérieurement au 1er novembre 1922 entre le Gouvernement de l'ancien Empire Ottoman d'une part, et le Conseil d'Administration de la Dette Publique Ottomane, les ressortissants des autres Puissances Contractantes et les Sociétiés ottomanes, où les intérêts de ces derniers sont prépondérants, d'autre part; il en sera ainsi spécialement des contrats et réglements relatifs aux avances consenties au Gouvernement de l'ancien Empire Ottoman, aux répartitions de bénéfices convenues avec ce dernier et au service de la Dette Publique Ottomane.

PARTIE III.

CLAUSES ECONOMIQUES.

Article 71.

Dans la présente Partie, l'expression "Puissances alliées" s'entend des Puissances contractantes autres que la Turquie; les termes "ressortissants alliés" comprennent les personnes physiques, les sociétés, associations et établissements, ressortissant aux Puissances contractantes autres que la Turquie, ou à un Etat ou territoire sous le protectorat d'une desdites Puissances.

Les dispositions de la présente Partie relatives auxdits "ressortissants alliés," s'appliqueront également aux protégés des Puissances ci-dessus visées, dont la patente de protection est antérieure au 1er août 1914, si pendant la guerre ils ont subi des dommages du fait de la protection dont ils jouissaient.

SECTION I.

Biens, Droits et Interets.

Article 72.

Les biens, droits et intérêts existant encore ou qui pourront être identifiés sur un territoire qui se trouvait placé sous la souveraineté ottomane à la date du 1er Août 1914 et qui demeurera sous la souveraineté turque à la date du présent Traité, appartenant à des ressortissants alliés, lesquels n'étaient pas, pendant la guerre, ressortissants otto-

words inscribed on the back of the Bonds, the Turkish Government remaining responsible to the holders of the said Bonds.

Article 70.

The Turkish Government confirms the validity and will ensure the execution of all contracts and settlements concluded before the 1st November, 1922, between the Government of the former Turkish Empire on the one hand and the Council of the Administration of the Ottoman Public Debt, nationals of the other Contracting Powers, and the Turkish Companies in which such nationals hold a preponderating interest, on the other hand; in particular this provision shall apply to contracts and settlements in connection with the advances made to the Government of the former Turkish Empire, with distribution of receipts by this Government and with the service of the Ottoman Public Debt.

PART III.

ECONOMIC CLAUSES.

Article 71.

In this Part, the expression "Allied Powers" means the Contracting Powers other than Turkey.

The term "Allied nationals" includes physical persons, companies and associations of the Contracting Powers other than Turkey, or of a state or territory under the protection of one of the said Powers.

The provisions of this part relating to the said Allied nationals apply equally to persons under the protection of the said Powers mentioned above, whose patent of protection is of earlier date than the 1st August, 1914, if during the war they suffered damage from the fact of the protection which they enjoyed.

SECTION I.

Property, Rights and Interests.

Article 72.

The property, rights and interests still existing or which can be identified in territory which was under Ottoman sovereignty on the 1st August, 1914, and which remains under Turkish sovereignty at the date of the present Treaty, belonging to Allied nationals, who were not during the war Ottoman nationals, or to companies in

mans, ou à des sociétés dans lesquelles les intérêts alliés sont prépondérants, seront immédiatement restitués aux ayants droit.

Il en sera de même pour les biens, droits et intérêts turcs existant encore ou qui peuvent être identifiés sur un territoire qui se trouvait placé sous la souveraineté des Puissances alliées à la date du 1er Août 1914.

Les Gouvernements des Hautes Parties Contractantes prendront toutes les mesures en leur pouvoir pour remettre, par une prompte procédure administrative, le propriétaire en possession de son bien, libre de toutes charges ou servitudes dont il aurait été grevé sans l'autorisation du propriétaire et indemniser tout tiers lésé par la restitution.

A cet effet, toutes les mesures exceptionnelles de guerre ou mesures de disposition prises par les Hautes Parties Contractantes à l'égard des biens, droits et intérêts ennemis seront immédiatement levées ou arrêtées lorsque la liquidation n'en aura pas été terminée et les réclamations des propriétaires recevront satisfaction par la restitution immédiate de leurs biens dès que ces biens auront été identifiés.

Tous litiges relatifs à l'identité des biens réclamés ou à leur restitution seront soumis au Tribunal arbitral mixte institué par la Section 6 de la présente Partie.

Article 73.

La Turquie facilitera, tant par des mesures administratives appropriées que par la livraison de tous documents y afférents, la recherche sur son territoire et la restitution des objets mobiliers de toute sorte, y compris espèces, titres et valeurs, enlevés, saisis ou séquestrés par ses armées et ses administrations, sur des territoires des autres Puissances contractantes, et qui se trouvent à présent sur le territoire de la Turquie et sur celui de ses alliés auxquels, en vertu de traités, de cessions ou d'attributions de quelque nature que ce soit, les objets ci-dessus auraient pu être transférés par la Turquie.

La recherche et la restitution s'effectueront aussi pour les objets susvisés, saisis ou séquestrés par les armées et administrations alliées de la Turquie sur un territoire des autres Puissances contractantes et qui auraient été attribués ou cédés en vertu de traités, ou de toute autre manière, à la Turquie ou à ses ressortissants.

Les requêtes afférentes à ces recherches et restitutions seront

which Allied interests are preponderent shall be immediately restored to the owners.

The same provision shall apply as regards Turkish property, rights and interests still existing or which can be identified in territory under the sovereignty of the Allied Powers on the 1st August, 1914.

The Governments of the High Contracting Parties will take all steps in their power to restore the owner, by a prompt administrative procedure, to the possession of his property, free from all encumbrances, or burdens, with which it may have been charged without his assent. They shall compensate all third parties injured by the restitution.

With this object all exceptional war measures or measures of transfer taken by the High Contracting Parties with respect to enemy property, rights and interests shall be immediately discontinued or stayed when liquidation has not been completed, and the claims of the owners shall be satisfied by the immediate restitution of their property as soon as this property has been identified.

All disputes relating to the identity of goods claimed or their restitution shall be submitted to a Mixed Arbitral Tribunal established by Section 6 of the present Part.

Article 73.

Turkey will facilitate, both by appropriate administrative measures and by delivery of all documents relating thereto, the search on her territory for, and the restitution of, movable property of every kind including money, deeds, and securities taken away, seized or sequestrated by her armies and her administrations on the territories of the other Contracting Powers which are at present on Turkish territory or on that of her Allies, to whom by treaties, grants or privileges of any kind, the above poperty may have been transferred by Turkey.

The search and restitution will apply also as regards property of the nature referred to above which may have been seized or sequestrated by the armies or administrations of the Allies of Turkey on the territory of the other Contracting Powers and which may have been assigned or granted by treaties or in any other way to Turkey or to her nationals.

Requests relating to this search and restitution shall be

introduites auprès du Gouvernement turc par le Gouvernement intéressé dans un délai de six mois à dater de la mise en vigueur du présent Traité.

Article 74.

Les biens, droits et intérêts qui ont fait l'objet de mesures de disposition ou de mesures exceptionnelles quelconques de la part des autorités des Hautes Parties Contractantes et qui existent encore ou qui peuvent être identifiés sur un territoire placé sous la souveraineté ottomane à la date du 1er Août 1914, et détaché de la Turquie par le présent Traité, et qui appartiennent à des ressortissants des Hautes Parties Contractantes, y compris les anciens ressortissants ottomans acquérant de plein droit la nationalité d'une Puissance alliée ou d'un nouvel Etat, conformement aux dispositions du présent Traité, seront immédiatement restitués aux ayants-droit par les Gouvernements intéressés.

Cette obligation de restituer ne s'appliquera pas aux biens, droits et intérêts des ressortissants turcs, qui ont fait l'objet de mesures exceptionnelles de guerre ou actes de guerre de la part du Gouvernement ottoman, avant la date du 30 Octobre 1918.

Les Gouvernements des Hautes Parties Contractantes prendront toutes les mesures en leur pouvoir pour remettre, par une prompte procédure administrative, le propriétaire évincé en possession de son bien libre de toutes charges ou servitudes, dont il aurait été grevé sans l'autorisation dudit propriétaire.

A cet effet, toutes les mesures exceptionnelles de guerre, ou mesures de disposition prises par les Hautes Parties Contractantes à l'égard des biens, droits et intérêts ennemis, seront immédiatement levées ou arrêtées lorsque la liquidation n'en aura pas été terminée et les réclamations des propriétaires recevront satisfaction par la restitution immédiate de leurs biens dès que ces biens auront été identifiés.

Tous litiges relatifs à l'identité des biens réclamés ou à leur restitution seront soumis au Tribunal arbitral mixte institué par la Section 6 de la présente Partie.

Article 75.

Tout impôt ou taxe, ou surtaxe, qui, sans être perçu sur les ressortissants ottomans, leurs biens, droits et intérêts, aurait été perçu sur les personnes des ressortissants alliés, leurs biens, droits et intérêts, ainsi que tout impôt ou taxe de quelque nature ou sous quelque dénomination que ce soit, qui aurait été perçu

made to the Turkish Government by the Government concerned within six months of the coming into force of the present Treaty.

Article 74.

The property, rights and interests which have been subjected to measures of transfer or to any exceptional measures by the authorities of the High Contracting Parties and which still exist, or can be identified, in territory under Ottoman Sovereignty on the 1st August, 1914, and detached from Turkey by the present Treaty, and which belong to nationals of the High Contracting Parties, including former Ottoman nationals, acquiring *ipso facto* the nationality of an Allied Power or of a new State in accordance with the provisions of the present Treaty, shall be immediately restored to the owners by the Governments concerned.

This obligation to effect restoration will not apply to the property, rights and interests of Turkish nationals which have been subjected to exceptional war measures or acts of war by the Ottoman Government before the 30th October, 1918.

The Governments of the High Contracting Parties will take all steps in their power to replace by a prompt administrative procedure the displaced owner in possession of his property, free from all encumbrances or burdens with which it may have been charged without his assent.

With this object all exceptional war measures or measures of transfer taken by the High Contracting Parties with respect to enemy property, rights and interests, shall be immediately discontinued or stayed when liquidation has not been completed and the claims of the owners shall be satisfied by the immediate restitution of their property as soon as this property has been identified.

All disputes relating to the identity of goods claimed or their restitution shall be submitted to a Mixed Arbitral Tribunal established by Section 6 of the present Part.

ARTICLE 75.

Every charge or tax or sur-tax which, without having been collected, in respect of Ottoman nationals, their property, rights and interests shall have been collected in respect of the persons of Allied nationals, their property, rights and interests as well as every charge or tax of whatever nature or under whatever name

sur lesdites personnes, leurs biens, droits et intérêts ou leur activité économique contrairement au statut dont ils jouissaient en Turquie, au moment de la déclaration de la guerre, seront ristournés auxdits ressortissants ou à leurs ayants-droit pour toute la période où, aux termes du présent article, ils ont été indûment perçus.

Lesdits impôts ou taxes ne pourront être exigés des ressortissants alliés, ainsi que des sociétés alliées, qui ne les auraient pas acquittés au cours de la période de guerre et jusqu'à la mise en vigueur du présent Traité, non plus que tous impôts ou taxes dont lesdits ressortissants ou sociétés alliées auraient été exonérés par le Gouvernement impérial ottoman ou par les autorités occupantes des Puissances alliées sur le territoire turc.

Article 76.

Si les biens, droits et intérêts des ressortissants turcs qui se trouvaient situés, à la date du 1er Août 1914, sur le territoire des Puissances alliées ont subi des dommages ou préjudices du fait de mesures exceptionnelles de guerre, qui ont été régulièrement liquidées et de ce fait n'ont pas restitués, le propriétaire aura droit à une indemnité équitable fixée à défaut d'accord par le Tribunal arbitral mixte institué par la Section 6 de la présente Partie.

Toutefois, aucune réclamation ne sera recevable, en ce qui concerne les biens restitués, pour les dommages résultant de mesures de gestion, surveillance, ou, en général, toutes mesures conservatoires, prises en conformité des lois et règlements du pays intéressé, et, en ce qui concerne les biens liquidés, pour le fait de la liquidation, si du moins le produit de celle-ci a été équitablement obtenu.

Article 77.

Pour l'exécution des articles 72 à 76, les demandes et actions relatives aux restitutions ou indemnités devront être introduites auprès des autorités compétentes dans le délai de six mois et à défaut d'accord auprès du Tribunal arbitral mixte dans le délai de 18 mois à partir de la mise en vigueur du présent Traité.

Article 78.

Les dispositions de la présente Section ne porteront point préjudice aux réclamations ou actions introduites auprès du Gouvernement ottoman avant le 1er août 1914 par les Gouvernements des

which shall have been collected in respect of the said persons, their property, rights and interests or their economic activity contrary to the laws to which they were subject in Turkey at the time of the declaration of war, shall be returned to the said nationals or to the persons entitled for the whole of the period for which in accordance with the terms of the present Article they have been improperly collected.

Payment of the said charges or taxes shall not be exacted from Allied nationals or Allied companies who have not paid them during the period of the war and up to the coming into force of the present Treaty; nor shall payment be required of charges or taxes from which the said Allied nationals or companies may have been exempted by the Imperial Ottoman Government or the Occupying Authorities of the Allied Powers on Turkish territory.

Article 76.

If the property, rights and interests of Turkish nationals which were situated on the 1st August, 1914, on the territory of the Allied Powers have suffered damage or prejudice owing to the exceptional war measures or have been lawfully liquidated and for this reason have not been restored, the proprietor shall have the right to equitable compensation fixed, in default of agreement, by the Mixed Arbitral Tribunal established by Section 6 of the present part.

Nevertheless with regard to property restored no claim shall be considered in respect of damages arising from measures of management, supervision or generally all measures of preservation taken in accordance with the laws and regulations of the country interested or, with regard to property liquidated, in respect of the fact of liquidation provided that the amount has been fairly obtained.

Article 77.

For the fulfilment of Articles 72 to 76 claims or proceedings relating to restitution or compensation must be begun before the competent authorities within six months, and in default of an agreement before the Mixed Arbitral Tribunal within 18 months from the coming into force of the present Treaty.

Article 78.

The provisions of this Section are not to prejudice claims or suits made against the Ottoman Government before the 1st August, 1914, by the Governments of the other contracting

autres Parties contractantes, ou leurs ressortissants au sujet de leurs biens, droits ou intérêts. Ces réclamations ou actions seront poursuivies dans les mêmes conditions auprès du Gouvernement turc.

Article 79.

Si les biens, droits et intérêts des ressortissants alliés (à l'exclusion des ressortissants grecs) qui se trouvaient sur un territoire placé sous la souveraineté ottomane à la date du 1er août 1914 n'existent plus, ou ont subi des dommages résultant soit de faits de guerre, soit de mesures de réquisition, soit de mesures de séquestre, disposition ou confiscation, soit de tout acte ou décision préjudiciable, le propriétaire aura droit à une indemnité que les Puissances alliées lui accorderont sur les sommes prévues à cet effet à l'article 57 (Clauses financières) et conformément à la procédure fixée par elles.

Article 80.

Le Gouvernement turc se déclare prêt à indemniser intégralement les Sociétés établies sous une autre loi que celle d'une Puissance alliée, mais où les intérêts alliés sont prépondérants tant pour les dommages résultant de tous actes de guerre, que des mesures de réquisitions, séquestre ou disposition, et en général de tout acte ou omission du Gouvernement turc ayant entraîné pour lesdites sociétés une privation de jouissance ou un préjudice matériel.

Le Gouvernement turc pourra offrir auxdites sociétés, en remplacement de tout ou partie des indemnités qui leur sont dues, des avantages ou privilèges économiques de tous ordres.

Si un accord n'intervient pas dans un délai d'un an à partir de la mise en vigueur du présent Traité, entre le Gouvernement turc et lesdites sociétés, la question sera soumise à une commission de trois arbitres dont l'un sera désigné par le Gouvernement turc, le second par la société réclamante et le troisième d'accord entre les parties ou, à défaut d'accord par le Président de la Cour Permanente de Justice Internationale.

Les arbitres évalueront en espèces le montant des indemnités dues par le Gouvernement turc aux sociétés. Ils apprécieront, le cas échéant, si les avantages économiques proposés par le Gouvernement turc à la société et acceptés par elle constituent une réparation équi-

parties or their nationals with regard to their property, rights and interests. These claims or suits will be continued against the Turkish Government under the same conditions.

Article 79.

If the property, rights and interests of Allied nationals (excluding Greek nationals) which were in territory under Ottoman sovereignty on the 1st August, 1914, no longer exist or have suffered damages resulting from acts of war, measures of requisition, measures of sequestration, transfer or confiscation or any harmful act or decision, the owner shall have the right to compensation which the Allied Powers will grant him out of the sums allocated for this object by Article 57 (Financial Clauses) and in accordance with procedure fixed by them.

Article 80.

The Turkish Government declares that it is ready to compensate fully companies established under a law other than that of an Allied Power in which Allied interests are preponderant in respect of damages resulting from all acts of war and from measures of requisition, sequestration or transfer and in general every act or omission of the Turkish Government which has involved for the said companies loss of enjoyment of their property or material prejudice.

The Turkish Government may offer to the said companies in the place of the whole or part of the compensation which is due to them economic advantages or privileges of any kind.

If no agreement is come to within one year of the coming into force of the present Treaty between the Turkish Government and the said companies the question shall be submitted to a Commission of three arbitrators, of whom one shall be nominated by the Turkish Government, the second by the claimant company and the third by agreement between the parties, or in default of agreement by the President of the Permanent Court of International Justice.

The arbitrators shall value in money the amount of the compensation due by the Turkish Government to the companies. They shall take into consideration, if such should be the case, any economic advantages offered by the Turkish Government to the company and accepted by it

table de ces dommages. Les arbitres pourront fixer un solde en espèces à la charge du Gouvernement turc.

Les décisions de la Commission arbitrale seront souveraines et immédiatement exécutoires.

Article 81.

Le Gouvernement turc et les Gouvernements des territoires détachés de la Turquie en vertu du présent Traité, procéderont, chacun dans leur territoire et si la demande en est faite dans les conditions fixées à l'alinéa suivant, à la liquidation des biens, droits et intérêts appartenant à l'Allemagne, à l'Autriche, à la Hongrie et à la Bulgarie, ou à leurs ressortissants à la date de la mise en vigueur du présent Traité.

Les biens, droits et intérêts à liquider seront désignés, en Turquie, par la Commission des Réparations établie par les Traités de paix conclus avec l'Allemagne, l'Autriche, la Hongrie et la Bulgarie. Ils seront désignés dans les territoires détachés de la Turquie par les gouvernements y exerçant l'autorité. Cette désignation devra intervenir dans le délai de six mois à dater de la mise en vigueur du présent Traité et la liquidation devra être effectuée dans le délai d'un an à dater de cette désignation.

Le produit des liquidations, qu'elles aient été déjà ou non effectuées, sera versé à la Commission des Réparations établie par le Traité de paix conclu avec l'Etat intéressé si les biens liquidés sont la propriété de l'Etat allemand, autrichien, hongrois ou bulgare. Il sera versé directement aux propriétaires si les biens liquidés sont une propriété privée.

Ne feront pas l'objet de la liquidation prévue au présent article, les biens, droits et intérêts à l'égard desquels il aura été fait usage des dispositions de l'article 260 du Traité de paix avec l'Allemagne et des articles correspondants des Traités de paix avec l'Autriche, la Hongrie et la Bulgarie.

SECTION II.

CONTRATS, PRESCRIPTIONS ET JUGEMENTS.

Article 82.

Restent en vigueur, sous réserve des dispositions qui y sont contenues ainsi que des stipulations du présent Traité, les contrats appartenant aux

constituting an equitable compensation for these damages. The arbitrators may fix a balance in cash to be paid by the Turkish Government.

The decisions of the Arbitral Commission shall be final and immediately executory.

Article 81.

The Turkish Government and the Governments of territories detached from Turkey in accordance with the present Treaty, will proceed each within their own territory, on request being made in accordance with the conditions set out in the following paragraph, to liquidate the property, rights and interests belonging to Germany, Austria, Hungary and Bulgaria, or their nationals at the date of the coming into force of the present Treaty.

The property, rights and interests to be liquidated will be notified in Turkey by the Reparation Commission established by the Treaties of Peace concluded with Germany, Austria, Hungary and Bulgaria. They will be notified in the territories detached from Turkey by the Governments exercising authority in those territories. This notification must be made within six months of the coming into force of the present Treaty and the liquidation must be effected within one year from the date of the notification.

The proceeds of the liquidations, whether they have already been effected or not, shall be paid to the Reparation Commission established by the Treaty of Peace concluded with the State concerned if the property liquidated is the property of the German, Austrian, Hungarian or Bulgarian Government. It shall be paid directly to the owners if the property liquidated is private property.

Property, rights and interests with regard to which steps have already been taken in accordance with the provisions of Article 260 of the Treaty of Peace with Germany and the corresponding Articles of the Treaties of Peace with Austria, Hungary and Bulgaria will not be subject to liquidation in accordance with the present Article.

SECTION II.

CONTRACTS, PRESCRIPTIONS AND JUDGMENTS.

Article 82.

The following classes of contracts, entered into before the date mentioned in Article 93 between persons who became enemies, as defined in that

catégories indiquées ci-après, conclus entre parties devenues ennemies telles qu'elles sont définies à l'article 93 et antérieurement à la date indiquée audit article :

(*a*) Contrats ayant pour objets le transfert ou la livraison de biens immobiliers, lorsque ce transfert ou cette livraison ont ou lieu en fait avant la date ci-dessus mentionnée ;

(*b*) Baux, contrats de location et promesses de location ;

(*c*) Contrats relatifs à l'exploitation de mines, de forêts ou de domaines agricoles ;

(*d*) Contrats d'hypothèque, de gage et de nantissement ;

(*e*) Contrats constitutifs de sociétés, à moins que ces sociétés n'aient été dissoutes en vertu de la loi nationale de la Puissance alliée intéressée ;

(*f*) Contrats passés entre les particuliers ou sociétés et l'Etat, les provinces, municipalités ou autres personnes juridiques administratives analogues ;

(*g*) Contrats relatifs au statut familial ;

(*h*) Contrats relatifs à des donations ou à des libéralités de quelque nature que ce soit.

Le présent article ne pourra être invoqué pour donner validité à des contrats dont les dispositions ne seraient pas conformes aux lois du pays par lesquelles ils sont régis.

Article 83.

Les Contrats d'Assurance sont régis par les dispositions prévues à l'Annexe de la présente Section.

Article 84.

Les contrats, autres que ceux énumérés aux articles 82 et 83, passés entre ennemis antérieurement à la date où les parties sont devenues ennemies, seront considérés comme ayant été annulés à partir de la même date.

Toutefois, dans le cas de marchés à livrer, si le fournisseur justifie avoir commencé, avant ladite date, l'exécution du contrat et subir du fait de son annulation un préjudice, il pourra réclamer, dans un délai de six mois à partir de la mise en vigueur du présent Traité, à l'autre partie une indemnité correspondant au préjudice subi et, à défaut d'accord, demander au Tribunal arbitral mixte prévu à la Section 6 de la présente Partie d'en fixer le montant.

Article, remain in force subject to the provisions of the contracts and to the conditions of the present Treaty :

(*a*) Contracts having for their object the transfer or delivery of real property when the transfer or delivery had in fact taken place before the date mentioned above.

(*b*) Leases and agreements for leases of land and houses.

(*c*) Contracts relating to the exploitation of mines, forests or agricultural estates.

(*d*) Contracts of mortgage, pledge or lien.

(*e*) Contracts constituting companies, unless they have been dissolved in accordance with the national law of the Allied Powers concerned.

(*f*) Contracts entered into between individuals or companies and States, provinces, municipalities or other similar juridical persons charged with administrative functions.

(*g*) Contracts relating to the family status.

(*h*) Contracts relating to gifts and bounties of whatever kind.

The present Article shall not have the effect of giving validity to contracts the provisions of which are contrary to the law of the country to which they are subject.

Article 83.

Insurance contracts will be dealt with in accordance with the provisions of the annex to the present section.

Article 84.

Contracts other than those set out in Articles 82 and 83 entered into between enemies before the date when they became enemies, will be deemed to have been dissolved from that date.

Nevertheless, in the case of goods to be delivered, if the contractor proves that he had begun the execution of the contract before the said date and has suffered loss from the fact of its cancellation, he will have the right to claim, within six months from the coming into force of the present Treaty, compensation from the other party to the extent of the loss suffered, and, in default of agreement, to have the amount fixed by the Mixed Arbitral Tribunal referred to in Section VI of this Part.

Article 85.

Pour tous les contrats autres que ceux énumérés aux articles 82 et 83, chacune des parties au contrat pourra en réclamer l'exécution jusqu'à l'expiration d'un délai de six mois à partir de la mise en vigueur du présent Traité à la condition de verser à l'autre partie, s'il y a lieu, une indemnité correspondant à la différence entre les conditions du moment où le contrat a été conclu et celles du moment où son maintien est réclamé. Cette indemnité, à défaut d'accord entre les parties, sera fixé par le Tribunal arbitral mixte.

Article 86.

Est confirmée la validité de toutes transactions intervenues avant la mise en vigueur du présent Traité entre les parties aux contrats indiqués aux articles 82 à 85, et ayant pour objet notamment la résiliation, le maintien, les modalités d'exécution ou la modification de ces contrats, y compris les accords portant sur la monnaie de paiement ou sur le taux de change.

Article 87.

Sont reconnus valables et soumis au droit commun les contrats entre ressortissants alliés et turcs, ainsi que les contrats entre ressortissants alliés et le Gouvernement Impérial Ottoman ou les autorités ottomanes des Puissances alliées conclus postérieurement au 30 octobre 1918.

Pour l'application du présent article les Sociétés établies sous une loi autre que celle d'une Puissance alliée, mais où les intérêts alliés sont prépondérants, seront considérées comme ressortissants alliés.

Article 88.

Tous les différends, quels qu'ils soient, relatifs aux contrats conclus avant la mise en vigueur du présent Traité, entre les ressortissants turcs et les ressortissants alliés seront réglés par le Tribunal arbitral mixte, à l'exception des différends qui, par application des lois des Puissances neutres, seraient de la compétence des tribunaux nationaux de ces Puissances. Dans ce cas ces différends seront réglés par ces tribunaux nationaux à l'exclusion du Tribunal arbitral mixte.

Article 89.

Sur le territoire des Hautes Parties Contractantes, dans les rapports entre les ennemis, tous délais quelconques de prescription, de péremption ou forclusion

Article 85.

As regards all contracts other than those enumerated in Articles 82 and 83, either of the Parties to the contract can claim its performance within six months from the coming into force of the present Treaty on payment to the other party, if there is ground for it, of compensation based on the difference between conditions existing at the time the contract was entered into and those at the time when its maintenance is claimed. This compensation, in default of agreement between the parties, will be fixed by the Mixed Arbitral Tribunal.

Article 86.

The validity of all compromises entered into before the coming into force of the present Treaty between the parties to contracts referred to in Articles 82 to 85 with a view particularly to the cancellation, the maintenance, the methods of execution or the modification of these contracts, including agreements relating to the currency of payment or the rate of exchange, are confirmed.

Article 87.

Contracts between Allied nationals and Turks, as well as contracts between Allied nationals and the Imperial Ottoman Government or the occupying authorities of the Allied Powers, entered into after the 30th of October, 1918, are recognised as valid and subject to the general law. For the purpose of the present Article, companies established under a law other than that of an Allied Power in which Allied interests are preponderant, shall be considered as Allied nationals.

Article 88.

All disputes, whatever they may be, relating to contracts entered into before the coming into force of the present Treaty, between Turkish nationals and Allied nationals will be determined by the Mixed Arbitral Tribunal, with the exception of disputes which, in accordance with the laws of neutral Powers are within the competence of the national tribunals of such Powers. In these cases the disputes will be settled by the national tribunals to the exclusion of the Mixed Arbitral Tribunal.

Article 89.

All periods of prescription or limitation of right of action, whether they began to run before or after the outbreak of war, shall be treated, in the territory

de procédure, qu'ils aient commencé à courir avant le début de la guerre ou après, seront considérés comme ayant été suspendus depuis le 29 octobre 1914 jusqu'à l'expiration de trois mois après la mise en vigueur du présent Traité.

Cette disposition s'applique, notamment, aux délais stipulés dans les lois, règlements et décrets relatifs à toutes concessions et permis de toute nature, ainsi qu'aux délais de présentation de coupons, d'intérêts et de dividendes, et de présentation, en vue de remboursement, des valeurs sorties au tirage ou remboursables à tout autre titre.

En raison des dispositions de la législation du Japon, le présent article, ainsi que l'article 83, ne s'applique pas aux contrats conclus par des ressortissants japonais avec des ressortissants turcs.

Article 90.

Dans les rapports entre ennemis, aucun effet de commerce passé avant la guerre ne sera considéré comme invalidé par le seul fait de n'avoir pas été présenté pour acceptation ou pour paiement dans les délais voulus, ni pour défaut d'avis aux tireurs ou aux endosseurs, de non acceptation ou de non paiement, ni en raison du défaut de protêt, ni pour défaut d'accomplissement d'une formalité quelconque pendant la guerre.

Si la période pendant laquelle un effet de commerce aurait dû être présenté à l'acceptation ou au paiement, ou pendant laquelle l'avis de non acceptation ou de non paiement aurait dû être donné aux tireurs ou endosseurs, ou pendant laquelle il aurait dû être protesté, est échue pendant la guerre, et si la partie, qui aurait dû présenter ou protester l'effet ou donner avis de la non acceptation ou du non paiement, ne l'a pas fait pendant la guerre, il lui sera accordé au moins trois mois après la mise en vigueur du présent Traité pour présenter l'effet, donner avis de non acceptation ou de non paiement ou dresser protêt.

Article 91.

Les jugements rendus ou les mesures d'exécution ordonnées pendant la guerre par une autorité judiciaire ou administrative ottomane quelconque qui, au 1er août 1914, était incompétente pour juger ou décider en ce qui concerne les droits d'une per-

of the High Contracting Parties so far as regards relations between enemies, as having been suspended from the 29th October, 1914, until the expiration of three months after the coming into force of the present Treaty. This provision applies, in particular, to periods prescribed in laws, regulations and decrees relating to concessions and licences of every kind, as well as to periods for the presentation of interest or dividend coupons, or for the presentation for payment of securities drawn for repayment, or repayable on any other ground.

Having regard to the provisions of the law of Japan, this Article and Article 83 do not apply to contracts between Japanese nationals and Turkish nationals.

Article 90.

As between enemies, no negotiable instrument made before the war shall be deemed to have become invalid by reason only of the failure within the required time to present the instrument for acceptance or payment, or to give notice of non-acceptance or non-payment to drawers or endorsers, or to protest the instrument, nor by reason of failure to complete any formality during the war.

When the period within which a negotiable instrument should have been presented for acceptance or for payment, or within which notice of non-acceptance or non-payment should have been given to the drawer or endorsers, or within which the instrument should have been protested, has lapsed during the war, and the party who should have presented or protested the instrument, or have given notice of non-acceptance or non-payment, has failed to do so during the war, a period of not less than three months from the coming into force of the present Treaty shall be allowed within which the presentation, notice of non-acceptance or non-payment, or protest may be made.

Article 91.

Judgments given or measures of execution ordered during the war by any Ottoman judicial or administrative authority, which, on the 1st August, 1914, was not competent to exercise jurisdiction, with regard to the rights of a person who was then a

sonne qui était alors ressortissante d'une Puissance alliée ou les droits d'une société dans laquelle les intérêts alliés étaient prépondérants seront sujets à revision, à la diligence de ce ressortissant ou de cette société, par le Tribunal arbitral mixte. En pareil cas, les parties seront, s'il est possible et équitable, replacées dans la situation ou elles se trouvaient avant le jugement rendu ou la mesure d'exécution ordonnée par l'autorité ottomane; sinon, le ressortissant d'une Puissance alliée, ou la société dans laquelle des intérêts alliés étaient prépondérants, qui aura subi un préjudice du fait du jugement ou de la mesure d'exécution, pourra obtenir telle réparation que le Tribunal arbitral mixte jugera équitable, cette réparation étant à la charge du Gouvernement turc

national of an Allied Power, or the rights of a company in which Allied interests were preponderant, shall be subject to revision on the application of such national or society to the Mixed Arbitral Tribunal. In such case, the parties shall, if it is possible and equitable, be replaced in the situation which they occupied before the judgment was delivered or the measure of execution ordered by the Ottoman authorities. If not, the national of an Allied Power, or the company in which Allied interests were preponderant, which has suffered damage from the judgment or execution, shall obtain such compensation as the Mixed Arbitral Tribunal shall consider equitable. This compensation will be paid by the Turkish Government.

Article 92.

Sera considérée comme valable, en cas de non paiement, la vente d'un immeuble hypothéqué ou d'un gage constitué par contrats conclus avant la guerre, pour garantie d'une dette due par l'ennemi, alors même qu'avis n'a pu être donné au propriétaire, si le créancier a agi de bonne foi et en prenant les soins et précautions raisonnables. Dans ce cas, le propriétaire ne pourra formuler aucune réclamation en raison de la vente de l'immeuble hypothéqué ou du gage.

Si, cependant, le créancier n'a pas agi de bonne foi et n'a pas pris les soins et précautions raisonnables, le Tribunal arbitral mixte pourra, sur recours du débiteur, condamner le créancier à indemniser ce dernier.

Article 92.

The sale of real property mortgaged, or of a security held under contracts entered into before the war for an unpaid debt, owing by an enemy, shall be deemed to have been valid irrespective of notice to the owner if the creditor acted in good faith and with reasonable care and prudence, in this case no claim by the debtor, on the ground of the sale, shall be admitted.

If, however, the creditor did not acted in good faith and with reasonable care and prudence, the Mixed Arbitral Tribunal may, on the application of the debtor, fix the compensation to be paid to him by the creditor.

Article 93.

Au sens de la présente Section les personnes parties à un contrat seront considérées comme ennemies à partir de la date à laquelle le commerce entre elles sera devenu impossible en fait ou aura été interdit ou sera devenu illégal en vertu des lois, décrets ou règlements auxquels une de ces parties était soumise.

Toutefois, les dispositions prévues dans les articles 82 à 85, 89 et 90 ne s'appliquent pas aux contrats passés dans un pays ennemi, avec des ressortissants ennemis, par des ressortissants des Puissances alliées ou de la Turquie, ayant séjourné dans ce pays pendant la guerre et y ayant disposé librement de leur personne et de leurs biens. Ces contrats seront soumis au droit commun

Article 93.

Within the meaning of the present Section, the parties to a contract shall be regarded as enemies from the date on which trading between them became impossible in fact, or was prohibited or otherwise became unlawful under laws, orders or regulations to which one of these parties was subject.

Nevertheless, the special provisions in Articles 82 to 85, 89 and 90 do not apply to contracts entered into in an enemy country with enemy nationals by nationals of Allied Powers or of Turkey having stayed in the country during the war and there freely disposed of their persons and their property. These contracts will be subject to the general law

ANNEXE.

I. Assurance sur la Vie.

§ 1

Les contrats d'assurances sur la vie, passés entre un assureur et une personne devenue par la suite ennemie, ne seront pas considérés comme annulés par l'ouverture des hostilités ou par le fait que la personne est devenue ennemie.

Toute somme assurée devenue effectivement exigible pendant la guerre, aux termes d'un contrat qui, en vertu du paragraphe précédent, n'est pas considéré comme annulé, sera recouvrable après la guerre. Cette somme sera augmentée des intérêts à 5 p. 100 l'an depuis la date de son exigibilité jusqu'au jour du paiement.

Si le contrat est devenu caduc pendant la guerre par suite du non-paiement des primes, ou s'il est devenu sans effet par suite du non accomplissement des clauses du contrat, l'assuré ou ses représentants ou ayants droit auront le droit, à tout moment pendant douze mois à dater du jour de la mise en vigueur du présent Traité, de réclamer à l'assureur la valeur de rachat de la police au jour de sa caducité ou de son annulation, augmentée des intérêts à 5 p. 100 l'an.

Les ressortissants turcs dont les contrats d'assurance sur la vie, souscrits antérieurement au 29 octobre 1914, ont été annulés ou réduits, antérieurement au Traité, pour non-paiement des primes, conformément aux dispositions desdits contrats, auront la faculté pendant un délai de trois mois à compter de la mise en vigueur du présent Traité, et s'ils sont alors vivants, de rétablir leurs polices pour le plein du capital assuré. A cet effet, ils devront, après avoir passé devant le Docteur de la Compagnie une visite médicale jugée satisfaisante par celle-ci, verser les primes arriérées augmentées des intérêts composés à 5 p. 100.

ANNEX.

I. Life Assurance

Paragraph 1.

Life assurance contracts entered into between an insurer and a person who subsequently became an enemy, shall not be deemed to have been dissolved by the outbreak of war or by the fact of the person becoming an enemy.

Every sum which, during the war, became due upon a contract deemed not to have been dissolved in accordance with the preceding paragraph, shall be recoverable after the war. This sum shall be increased by interest at 5 per cent. per annum from the date of its becoming due up to the day of payment.

If the contract has lapsed during the war, owing to non-payment of premiums, or has become void from breach of the conditions of the contract, the assured, or his representatives, or the persons entitled, shall have the right at any moment within 12 months from the coming into force of the present Treaty to claim from the insurer the surrender value of the policy at the date of its lapse or avoidance, together with interest at 5 per cent. per annum.

Turkish nationals whose life insurance contracts entered into before 29th October, 1914, have been cancelled or reduced before the Treaty, for non-payment of premiums in accordance with the provisions of the said contracts, shall have the right, within three months from the coming into force of the present Treaty, if they are still alive, to restore their policies for the whole of the amount assured. For this purpose they must, after having passed a medical examination before the doctor of the company, which the company considers satisfactory, pay the premiums in arrear with interest at 5 per cent.

§ 2

Il est entendu que les contrats d'assurances sur la vie, souscrits en monnaie autre que la livre turque, conclus avant le 29 octobre 1914 entre les Sujets d'une Puissance Alliée et les ressortissants turcs pour lesquels des primes ont été payées antérieurement et postérieurement à la date du 30 Mars 1915, ou même seulement avant cette date seront réglés: 1° en arrêtant les droits de l'assuré, conformément aux conditions générales de la police, pour la période an

Paragraph 2

It is understood that life assurance contracts in money other than the Turkish pound, entered into before the 29th October, 1914, between companies of an Allied Power and Turkish nationals, in respect of which the premiums have been paid before and after the 30th March, 1915, or even only before that date, shall be regulated, first, in determining the rights of the assured in accordance with the general conditions of the policy for the period before the 30th

térieure au 30 mars 1915 dans la monnaie stipulée au contrat telle qu'elle a cours dans le pays dont cette monnaie émane (par exemple, toute somme stipulée en francs, en francs or, ou en francs effectifs sera payée en francs français); 2° en livres turques papier—la livre turque étant censée valoir le pair d'avant guerre—pour la période postérieure au 30 mars 1915.

Si les ressortissants turcs dont les contrats sont conclus dans une monnaie autre que la monnaie turque, justifient avoir continué depuis le 30 mars 1915 à acquitter leurs primes en la monnaie stipulée aux contrats, lesdits contrats seront réglés dans cette même monnaie, telle qu'elle a cours dans le pays dont elle émane, même pour la période postérieure au 30 mars 1915.

Les ressortissants turcs dont les contrats, conclus avant le 29 octobre 1914 dans une monnaie autre que la monnaie turque, avec des sociétés de nationalité d'une Puissance alliée, sont, par suite du paiement des primes, encore en vigueur, auront la faculté pendant un délai de trois mois, à compter de la mise en vigueur du présent Traité, de rétablir leurs polices pour le plein du capital dans la monnaie stipulée dans leur contrat telle qu'elle a cours dans le pays dont elle émane. A cet effet, ils devront verser en cette monnaie les primes échues depuis le 30 mars 1915. Par contre, les primes effectivement versées par eux en livres turques papier depuis ladite date leur seront remboursées dans la même monnaie.

§ 3

En ce qui concerne les assurances contractées en livres turques, le règlement sera fait en livres turques papier.

§ 4

Les dispositions des paragraphes 2 et 3 ne seront pas applicables aux assurés qui, par une convention expresse, auront déjà régularisé avec la société d'assurance la valorisation de leurs polices et le mode de paiement de leurs primes, ni à ceux dont les polices seront définitivement réglées à la date de la mise en vigueur du présent Traité.

§ 5

Pour l'application des paragraphes précédents seront considérés comme contrats d'assurances sur la vie les contrats d'assurances qui se basent sur les probabilités de la vie humaine combinée avec le taux d'intérêt pour le calcul des engagements réciproques des deux parties.

March, 1915, in the money stipulated in the contract at the current rate in its country of origin (for example, every amount stipulated in francs, in gold francs or in "francs effectifs" will be paid in French francs), secondly, in Turkish paper pounds—the Turkish pound being estimated at the pre-war par value—for the period after the 30th March, 1915.

If Turkish nationals whose contracts were entered into in currency other than Turkish currency, show that they have continued to pay their premiums since the 30th March, 1915, in the money stipulated in the contracts, the said contracts shall be settled in the same currency at the current rate in its country of origin, even for the period after the 30th March, 1915.

Turkish nationals whose contracts, entered into before the 29th October, 1914, in currency other than Turkish currency with companies of the nationality of an Allied Power are, owing to payment of premiums, still in force, shall have the right within three months after the coming into force of the present Treaty to restore their policies for the full amount, in the currency stipulated in their contract, at the current rate in its country of origin. For this purpose they must pay in this currency the premiums which have become due since the 30th March, 1915. On the other hand, the premiums actually paid by them in Turkish paper pounds since that date will be repaid to them in the same money.

Paragraph 3.

As regards insurances in Turkish pounds, settlement shall be made in Turkish paper pounds.

Paragraph 4.

The provisions of paragraphs 2 and 3 do not apply to policy holders who, by an express agreement, have already settled with the insurance companies the fixation of the value of their policies and the method of payment of their premiums, nor to those whose policies have been finally settled at the date of the coming into force of the present Treaty.

Paragraph 5.

For the purposes of the preceding paragraphs, insurance contracts shall be considered as contracts of life insurance when they depend on the probabilities of human life, combined with the rate of interest, for the calculation of the reciprocal engagement between the two parties.

II. Assurances Maritimes.

§ 6.

Ne sont pas considérés comme annulés, sous réserve des dispositions qui y sont contenues, les contrats d'assurances maritimes au cas où le risque avait commencé à courir avant que les parties fussent devenues ennemies et à la condition qu'il ne s'agisse pas de couvrir des sinistres résultant d'actes de guerre accomplis par la Puissance à laquelle ressortit l'assureur ou par les Alliés de cette Puissance.

III. Assurance Incendie et autres Assurances.

§ 7.

Ne sont pas considérées comme annulés, sous la réserve énoncée au paragraphe précédent, les contrats d'assurances contre l'incendie ainsi que tous autres contrats d'assurances.

SECTION 3.

Concessions.

Article 94.

Les ressortissants alliés, bénéficiaires de concessions accordées avant le 29 octobre 1914 par le Gouvernement ottoman ou toute autorité locale, sur des territoires restant turcs en vertu du présent Traité, seront rétablis par le Gouvernement turc dans l'intégralité de droits et obligations résultant du contrat de concession primitif et de tous accords subséquents antérieurs au 29 octobre 1914.

Sont de même confirmées, même si la Turquie n'a pas rempli toutes les conditions nécessaires à leur confirmation définitive, toutes conventions ou contrats de concessions, ainsi que les accords et décisions y relatifs, conclus entre la Turquie et les ressortissants alliés avant le 29 octobre 1914, s'ils ont reçu un commencement d'exécution ou ont fait l'objet d'accords entre le gouvernement ottoman et un gouvernement allié.

La durée de toute concession ainsi que l'échéance de tout délai prévu dans une concession seront prorogées d'une période égale au temps écoulé entre le 29 octobre 1914 et la date de la mise en vigueur du présent Traité.

Il sera, toutefois, tenu compte de cette prorogation dans l'évaluation de l'indemnité qui serait accordée aux concessionnaires en application de l'article 80, ainsi que dans la réadaptation prévue à l'alinéa suivant.

II. Marine Insurance.

Paragraph 6.

Subject to the provisions therein contained, contracts of marine insurance will not be deemed to have been dissolved where the risk had attached before the parties became enemies, subject to the condition that the policy shall not be deemed to cover losses due to belligerent action by the Power of which the insurer was a national or by the Allies of that Power.

III. Fire and other Insurances.

Paragraph 7.

Subject to the provisions set out in the preceding paragraph, fire insurance contracts and all other forms of insurance contracts are not deemed to be dissolved.

SECTION III.

Concessions.

Article 94.

Allied subjects holding concessions granted before October 29th, 1914, by the Ottoman Government or any local authority in territory remaining Turkish under the present Treaty, shall be replaced by the Turkish Government in complete possession of the rights and shall undertake all the obligations resulting from the original concession contract and any subsequent agreements prior to October 29th, 1914.

All conventions or contracts relating to concessions made between Turkey and Allied subjects, and any agreements and decisions in regard thereto, prior to October 29th, 1914, are also confirmed if they have begun to be put into operation, or have formed the object of agreements between the Ottoman Government and an Allied Government, notwithstanding the non-fulfilment by Turkey of all the conditions requisite for their final confirmation.

The period for which any concession is valid and any time-limit provided for under a concession, shall be prolonged by a period equal to the interval between October 29th, 1914, and the date of the coming into force of the present Treaty.

Account shall, however, be taken of such prolongation in the assessment of the compensation to be accorded to concessionaires in accordance with Article 80, and also in the readaptation referred to in the following paragraph.

Dans le cas où ces concessions, conventions et accords visés ci-dessus ne répondraient pas aux nouvelles conditions économiques, le Gouvernement turc et les bénéficiaires s'entendront entre eux sur une révision et d'une réadaptation à ces nouvelles conditions.

Faute de délai d'un an à dater de la mise en vigueur du présent Traité et à défaut d'accord amiable entre les parties sur les conditions de cette réadaptation, la décision sera déférée devant trois arbitres dont des quels sera désigné par le concessionnaire, le deuxième arbitre sera désigné par le gouvernement turc, et le troisième sera, à défaut d'accord entre les intéressés, désigné par le Président de la Cour Permanente de Justice Internationale.

Les accords intervenus depuis le 30 octobre 1918 entre le Gouvernement ottoman et les bénéficiaires des contrats et concessions visés au présent article sont confirmés.

Le Gouvernement turc s'engage à maintenir ou à rétablir en ressortissants alliés dans les droits et obligations stipulés par [illegible] aux droits visés dans le présent article, sont nulles et non avenues

Article 96.

En vue d'assurer la transformation [illegible] dont les réseaux [illegible] alliés ne sont pas prépondérants, [illegible] dans le délai d'un an à dater de la mise en vigueur du présent Traité, soit au rachat, soit à la reprise desdits chemins de fer. [illegible] arbitre désigné par la Société des Nations, [illegible] l'indemnité à verser au concessionnaire d'après la valeur réelle et actuelle de l'entreprise. [illegible] effectués depuis le 30 octobre 1918.

Les Gouvernements alliés, dont [illegible] intérêts prépondérants dans les [illegible] de fer en Turquie d'Asie, [illegible] concerne, la transformation prévue au paragraphe précédent. Des accords ultérieurs détermineront la nature de ce concours et les modes de cette transformation

If the concessions, conventions and agreements referred to above do not correspond with the new economic conditions, the Turkish Government and the concessionaires shall agree upon a revision and readaptation in accordance with these new conditions

Failing agreement between the parties upon the conditions of such readaptation within one year from the coming into force of the present Treaty, the matter shall be referred to three arbitrators, of whom one shall be chosen by the concessionaire, the second by the Turkish Government, and the third, failing agreement between those concerned, by the President of the Permanent Court of International Justice

Agreements made since the 30th October, 1918, between the Ottoman Government and the holders of contracts and concessions referred to in the present article are confirmed.

The Turkish Government undertakes to maintain or to replace Allied subjects in the same position as regards rights and obligations as that provided for by the concessions acquired by them directly or as successors of the original concessionaires and by the licences and contracts relating to such concessions.

All legislative or other provisions [illegible] of October 29th, 1914, which are inconsistent with the rights referred to in the present article are null and void

Article 96.

In order to ensure the conversion [illegible] of the railways in which Turkish or Allied interests are not preponderant into a Turkish State Railway System, the Turkish Government shall within one year from the coming into force of the present Treaty, either purchase [illegible] If the Turkish Government decides to expropriate these railways, an arbitrator chosen by the League of Nations shall decide upon the amount of the compensation to be paid to the concessionaire in accordance with the present value of the system, less the value of works carried out since October 30th, 1918.

The Allied Governments whose nationals have preponderating interests in the railway systems in Turkey shall, so far as they are concerned, facilitate the conversion referred to in the preceding paragraph. The nature of this assistance and the method of this conversion shall be determined by subsequent agreements. A

Il sera assuré aux capitaux turcs dans l'organisme d'exploitation une participation au moins égale à celle du groupe étranger le plus important

Article 96.

Dans tous les territoires détachés de la Turquie, soit à la suite des guerres balkaniques en 1913, soit en vertu du présent Traité, l'Etat successeur, étant subrogé de plein droit dans les droits et charges de la Turquie vis-à-vis des concessionnaires ou bénéficiaires de contrats, visés à l'article 94, devra conserver à ceux-ci les garanties qui leur avaient été affectées ou leur en attribuer d'équivalentes

Cette subrogation aura effet pour chaque Etat successeur à dater de la mise en vigueur du Traité par lequel le transfert du territoire a été stipulé. Ledit Etat prendra toutes mesures utiles pour que l'exploitation des concessions et l'exécution des contrats puissent être continuées sans aucune interruption.

Toutefois, dès la mise en vigueur du présent Traité, des négociations pourront être engagées entre les Etats successeurs et les bénéficiaires des concessions et contrats, à l'effet d'adapter d'un commun accord les dispositions desdites concessions et desdits contrats aux nouvelles conditions économiques

Il sera tenu compte dans cette réadaptation des charges qu'en traînerait pour le concessionnaire la nécessité de se conformer à la législation desdits Etats

A défaut d'accord, dans les six mois, sur les conditions de la réadaptation, l'Etat ou les bénéficiaires soumettront leurs contestations à l'arbitrage selon la procédure prévue à l'article 94.

Article 97.

Dans les territoires détachés de la Turquie, les Puissances alliées ne seront pas tenues de reconnaître la validité des concessions ou transferts de concessions accordées par le gouvernement ottoman ou par les autorités locales ottomanes postérieurement au 29 octobre 1914

Article 98.

Par application de l'article 155 du Traité de paix avec l'Allemagne et des articles correspondants des Traités de paix avec l'Autriche, avec la Hongrie et avec la Bulgarie, sont déclarés nuls toutes les concessions ou tous droits dans une concession accordée en Turquie depuis le 1er

share in the body formed to exploit these railways shall be reserved for Turkish capital at least equal to the share of the largest foreign group

Article 96.

In all territories detached from Turkey either as a result of the Balkan Wars in 1913, or under the present Treaty, the State which acquires the territory shall *ipso facto* succeed to the duties and liabilities of Turkey towards the concessionaires and holders of contracts referred to in Article 94, and shall maintain the guarantees granted or assign equivalent guarantees.

This succession shall take effect, in the case of each acquired State, as from the coming into force of the Treaty under which the cession was effected. Such State shall take all necessary steps to ensure the uninterrupted working of the concessions and carrying out of the contracts.

Nevertheless, as from the coming into force of the present Treaty, negotiations may be entered into between the acquiring States and the holders of concessions or contracts with a view to a mutual agreement for bringing such concessions and contracts into conformity with the new economic conditions.

In such readaptation, account shall be taken of any liabilities imposed on the concessionaires by the necessity of conforming with the legislation of such States.

Should agreement not have been reached upon the conditions of readaptation within six months, the State or the holder of the concessions or contracts may submit the dispute to an Arbitral Tribunal constituted in accordance with the procedure referred to in Article 94.

Article 97.

The Allied Powers shall not be bound to recognise in territory detached from Turkey the validity of the grant or transfer of any concession by the Ottoman Government or by local Ottoman authorities, effected after October 29th, 1914

Article 98.

In accordance with Article 155 of the Treaty of Peace with Germany and the corresponding articles in the Treaties of Peace with Austria, Hungary and Bulgaria, all concessions or rights in concessions granted in Turkey between the 1st August, 1914, and the date of the coming into

août 1914 jusqu'à la mise en vigueur du présent traité à des ressortissants allemands, autrichiens, hongrois ou bulgares ou à des sociétés dans lesquelles les intérêts de tels ressortissants sont prépondérants.

Article 99.

Toute société constituée conformément à la loi ottomane et fonctionnant dans des territoires détachés de la Turquie, soit à la suite des guerres balkaniques, soit en vertu du présent Traité, et où des intérêts alliés sont prépondérants, aura, pendant cinq ans à dater de la mise en vigueur du présent Traité, la faculté de transférer ses biens, droits et intérêts à toute autre société constituée en conformité de la loi soit de l'Etat exerçant l'autorité sur le territoire en question, soit de l'un des Etats alliés dont les ressortissants contrôlent ladite société. La société à qui les biens, droits et intérêts auront été transférés jouira des mêmes droits et privilèges dont jouissait la société précédente, y compris ceux que lui confèrent les dispositions du présent Traité.

Les dispositions qui précèdent ne s'appliquent pas aux sociétés concessionaires de services publics dont une partie de l'exploitation fonctionnait en Turquie même.

Les sociétés auxquelles seront transférés, en vertu du présent article, des biens, droits et intérêts de sociétés ottomanes, ne seront soumises sur les territoires détachés de la Turquie à aucune taxe spéciale du fait de ce transfert ou de leur constitution en vue de ce transfert, s'il n'y est fait obstacle par des conventions internationales antérieures. Il en sera de même, sur le territoire de celle des Puissances contractantes dont ces sociétés posséderont la nationalité, à moins que cette Puissance n'y fasse opposition en vertu de sa législation propre.

Article 100.

Les sociétés établies sous une loi autre que celle d'une Puissance alliée dans lesquelles les ressortissants ou groupes alliés ont des intérêts prépondérants bénéficieront des dispositions des articles 94 à 96 dans les mêmes conditions que les ressortissants alliés.

SECTION 4.

DETTES.

Article 101.

Les dettes, en monnaie ottomane, autres que la Dette Publique Ottomane visée dans la

force of the present Treaty in favour of German, Austrian, Hungarian or Bulgarian nationals or Companies in which the interests of such nationals are preponderant, are hereby annulled.

Article 99.

Any Company incorporated in accordance with Ottoman law and operating in a territory detached from Turkey either after the Balkan Wars, or under the present Treaty, in which Allied interests are preponderant, shall have the right within five years from the coming into force of the present Treaty, to transfer its property, rights and interests to another company incorporated in accordance with the law of the State exercising authority in the territory in question, or with the law of the Allied State whose nationals control the company. The company to which such property, rights and interests are transferred will continue to enjoy the same rights and privileges as the other company enjoyed including those conferred by the provisions of the present Treaty.

The foregoing provisions do not apply to companies holding public utility concessions which continue to operate partly in Turkish territory.

The Companies to which the property, rights and interests of Ottoman Companies are transferred under the present article shall not be subject in territory detached from Turkey to any special tax on account of this transfer, or on account of their formation with a view to this transfer, except in so far as this provision may be inconsistent with International Conventions in force. The same provision shall apply in the territory of the contracting Power the nationality of which is taken by such companies unless this Power raises objection to such exemption in view of its own legislation

Article 100.

Companies formed under a law other than that of an Allied Power, in which Allied subjects or Allied groups held a preponderating interest, shall enjoy the benefit of the provisions of Articles 94 to 96 upon the same terms as Allied subjects.

SECTION IV.

DEBTS.

Article 101.

Debts in Ottoman currency, other than the Ottoman Public Debt referred to in Section 1 of

Section I de la Partie II (Clauses financières) du présent Traité, du Gouvernement ottoman ou ses ressortissants résidant sur le territoire ture à la date de la mise en vigueur du présent Traité, à l'égard des Gouvernements des Puissances Alliées ou leurs ressortissants qui, au 1er août 1914, n'étaient ni ressortis sants ottomans ni résidant en Turquie ou y exerçant une activité seront payées ou créditées dans la monnaie des Puissances Alliées intéressées, y compris leurs colonies et protectorats, les Dominions britanniques et l'Inde, sans distinguer selon que les dettes étaient exigibles avant la guerre ou que, résultant de transactions ou contrats dont l'exécution totale ou partielle a été suspendue du fait de la guerre, elles sont devenues exigibles pendant la guerre.

Il en sera de même pour les dettes en monnaie ottomane des Gouvernements des Puissances Alliées et leurs ressortissants non résidant en Turquie ou y exerçant une activité envers le Gouvernement Ottoman ou ses ressortissants résidant en Turquie.

Le taux de change à appliquer sera celui d'avant guerre. Pour l'application de cette disposition, on considère que le taux de change d'avant guerre est égal à la moyenne des taux des transferts télégraphiques de la Puissance alliée intéressée pendant le mois qui a précédé immédiatement l'ouverture des hostilités entre ladite Puissance et la Turquie.

Les dettes en monnaie ottomane des ressortissants alliés qui, au premier août, 1914, résidaient en Turquie ou y exerçaient une activité, envers les ressortissants turcs et réciproquement, seront réglées en monnaie turque.

Si les dettes de part et d'autre sont exprimées dans une autre monnaie que la monnaie ottomane, le règlement aura lieu dans la monnaie convenue au contract, telle qu'elle a cours dans le pays d'où elle émane.

Les dettes réglées d'un commun accord entre parties avant la mise en vigueur du présent Traité, sans qu'une réserve expresse soit faite quant au taux de change, ne seront pas soumises aux dispositions du présent article.

Les dispositions du présent article, en ce qui concerne le taux de change ne s'appliqueront pas aux dettes ou créances des personnes résidant dans les territoires détachés de la Turquie en vertu du présent Traité.

Les sociétés ottomanes dans les quelles les intérêts des ressortis

Part II (Financial Clauses) of the present Treaty, between the Ottoman Government or its nationals resident in Turkish territory on the coming into force of the present Treaty, on the one hand, and the Governments of the Allied Powers or their nationals who were not on August 1st, 1914, Ottoman nationals or resident or carrying on business in Turkey, on the other hand, shall be paid or credited in the currency of such one of the Allied Powers, their Colonies or Protectorates, or the British Dominions or India, as may be concerned, whether such debts became payable before the war, or became payable during the war and arose out of transactions or contracts of which the total or partial execution was suspended on account of the war.

The same provisions shall apply to debts in Ottoman currency of the Allied Governments and their nationals not resident or carrying on business in Turkey to the Ottoman Government or its nationals resident in Turkey.

The rate of exchange to be applied shall be the pre-war rate of exchange. For the purpose of this provision the pre-war rate of exchange shall be defined as the average cable transfer rate prevailing in the Allied country concerned during the month immediately preceding the outbreak of hostilities between the said Power and Turkey.

Debts in Ottoman currency between Allied subjects resident or carrying on business in Turkey on August 1st, 1914, and Turkish nationals, shall be settled in Turkish currency

If debts on either side are expressed as payable in a currency other than Ottoman currency, the debts shall be settled in the currency stipulated in the contract at the current rate in its country of origin.

The provisions of the present Article shall not apply to debts settled by agreement between the parties before the coming into force of the present Treaty without any express reserve having been made as regards rate of exchange.

The provisions of the present Article as regards rate of exchange shall not affect debts dut to or from persons resident in territories detached from Turkey in accordance with the present Treaty.

Ottoman companies in which Allied nationals hold the pre

sants alliés sont prépondérants seront, pour l'application du présent article, considérés comme ressortissants alliés.

SECTION 5.

PROPRIÉTÉ INDUSTRIELLE, LITTÉRAIRE OU ARTISTIQUE.

Article 102

Sous réserve des stipulations du présent Traité, les droits de propriété industrielle, littéraire ou artistique tels qu'ils existaient au 1er août 1914 conformément à la législation de chacun des Pays contractants, seront rétablis ou restaurés, à partir de la mise en vigueur du présent Traité, dans les territoires des Hautes Parties Contractantes, en faveur des personnes qui en étaient bénéficiaires au moment où l'état de guerre a commencé d'exister, ou de leurs ayants-droit. De même, les droits qui, si la guerre n'avait pas eu lieu, auraient pu être acquis pendant la durée de la guerre, à la suite d'une demande régulièrement faite pour la protection de la propriété industrielle ou de la publication d'une œuvre littéraire ou artistique, seront reconnus et rétablis en faveur des personnes qui y auraient des titres, à partir de la mise en vigueur du présent Traité.

Sans préjudice des droits qui doivent être restaurés en vertu de la disposition ci-dessus, tous actes (y compris l'octroi de licences) faits en vertu des mesures spéciales qui auraient été prises pendant la guerre par une autorité législative, exécutive ou administrative d'une Puissance alliée à l'égard des droits des ressortissants ennemis en matière de propriété industrielle, littéraire ou artistique, demeureront valables et continueront à avoir leurs pleins effets. Cette stipulation s'appliquera aussi aux actes faits en vertu des mesures correspondantes des autorités turques prises à l'égard des droits des ressortissants d'une Puissance alliée quelconque.

Article 103.

Un délai minimum d'une année, à partir de la mise en vigueur du présent Traité, sans surtaxe ni pénalité d'aucune sorte, sera accordé aux ressortissants turcs sur le territoire de chacune des autres Puissances contractantes et aux ressortissants de ces Puissances en Turquie pour accomplir tout acte, compléter toute formalité, payer toute taxe et généralement satisfaire à toute obligation prescrite par les lois et les règlements de chaque Etat pour conserver ou obtenir les droits de propriété industrielle déjà acquis au 1er août 1914 ou qui, si la guerre n'avait pas eu lieu, pondering interest shall be considered as Allied nationals for the purpose of the present Article.

SECTION V.

INDUSTRIAL, LITERARY AND ARTISTIC PROPERTY.

Article 102.

Subject to the stipulations of the present Treaty rights of industrial, literary and artistic property as they existed on the 1st August, 1914, in accordance with the legislation of each of the contracting countries, shall be reestablished or restored as from the coming into force of the present Treaty in the territories of the High Contracting Parties in favour of the persons entitled to the benefit of them at the moment when the state of war commenced or their legal representatives. Equally, rights which, except for the war, would have been acquired during the war in consequence of an application legally made for the protection of industrial property, or the publication of a literary or artistic work, shall be recognised and established in favour of those persons who would have been entitled thereto from the coming into force of the present Treaty.

Without prejudice to the rights which are required to be restored in accordance with the above provision all acts (including the grant of licences) done by virtue of the special measures taken during the war under legislative, executive or administrative authority of any Allied Power in regard to the rights of Turkish nationals in industrial, literary or artistic property shall remain in force and continue to have their full effect. This provision applies *mutatis mutandis* to corresponding measures taken by Turkish authorities in regard to the rights of the nationals of any Allied Power.

Article 103.

A minimum of one year from the coming into force of the present Treaty without surtax or penalty of any kind shall be accorded to Turkish nationals on the territory of each of the other Contracting Powers, and to the nationals of those Powers in Turkey, in order to enable such persons to accomplish any act, fulfil any formality, pay any fees, and generally satisfy any obligation prescribed by the laws or regulations of the respective States relating to the preserving or obtaining or opposing rights to industrial property already acquired on the 1st August, 1914, or which, except for the war,

auraient pu être acquis depuis cette date, à la suite d'une demande faite, avant la guerre ou pendant sa durée, ainsi que pour y former opposition.

Les droits de propriété industrielle qui auraient été frappés de déchéance par suite d'un défaut d'accomplissement d'un acte, d'exécution d'une formalité ou de paiement d'une taxe, seront remis en vigueur, sous la réserve toutefois, en ce qui concerne les brevets et dessins, que chaque Puissance pourra prendre les mesures qu'elle jugerait équitablement nécessaires pour la sauvegarde des droits des tiers qui auraient exploité ou employé des brevets ou des dessins pendant le temps où étaient frappés de déchéance.

La période comprise entre le 1er août 1914, et la date de la mise en vigueur du présent Traité, n'entrera pas en ligne de compte dans le délai prévu pour la mise en exploitation d'un brevet ou pour l'usage de marques de fabrique ou de commerce ou de dessins, et il est convenu en outre qu'aucun brevet, marque de fabrique ou de commerce, ou dessin qui était encore en vigueur au 1er août 1914 ne pourra être frappé de déchéance ou d'annulation, du seul chef de non-exploitation ou de non-usage, avant l'expiration d'un délai de deux ans à partir de la mise en vigueur du présent Traité.

Article 104.

Aucune action ne pourra être intentée ni aucune revendication exercée, d'une part, par des ressortissants ou par des personnes résidant ou exerçant leur industrie en Turquie, et, d'autre part, par des ressortissants des Puissances alliées ou des personnes résidant ou exerçant leur industrie sur le territoire de ces Puissances, ni par les tiers auxquels ces personnes auraient cédé leurs droits pendant la guerre, à raison de faits qui se seraient produits sur le territoire de l'autre partie, entre la date de l'état de guerre et celle de la mise en vigueur du présent Traité et qui auraient pu être considérés comme portant atteinte à des droits de propriété industrielle ou de propriété littéraire ou artistique ayant existé à un moment quelconque pendant la guerre ou qui seront rétablis conformément à l'article 102.

Parmi les faits ci-dessus visés, sont compris l'utilisation par les Gouvernements des Hautes Parties Contractantes ou par toute personne pour le compte de ces Gouvernements ou avec leur

might have been acquired since that date as a result of an application made before the war or during its continuance.

Rights to industrial property which may have lapsed by reason of any failure to accomplish any act, fulfil any formality, or make any payment shall revive, but subject, in the case of patents and designs, to the imposition of such conditions as each Power may deem reasonably necessary for the protection of the rights of third parties who have manufactured or made use of patents or designs while they had lapsed.

The period from the 1st August, 1914, until the coming into force of the present Treaty shall be excluded in considering the time within which a patent should be worked or a trade-mark or design used, and it is further agreed that no patent, trademark or design in force on the 1st August, 1914, shall be subject to revocation or cancellation by reason only of the failure to work such patent or use such trademark or design for two years after the coming into force of the present Treaty.

Article 104.

No action shall be brought and no claim made on the one hand by Turkish nationals or persons residing or carrying on business in Turkey, and on the other hand by nationals of the Allied Powers or persons residing or carrying on their business on the territory of those Powers, nor by anyone deriving title during the war from such persons, by reason of any action which has taken place within the territory of the other party between the dae of the existence of a state of war and that of the coming into force of the present Treaty which might constitute an infringement of the rights of industrial property or rights of literary or artistic property either existing at any time during the war, or revived under the provisions of Article 102.

Among the actions referred to above are included the use by the Governments of the High Contracting Parties, or by any person for account of these Governments, or with their consent,

assentiment de droits de propriété industrielle, littéraire ou artistique, aussi bien que la vente, la mise en vente ou l'emploi de produits, appareils, articles ou objets quelconques auxquels s'appliqueraient ces droits.

Article 105.

Les contrats de licence, d'exploitation de droits, de propriété industrielle ou de reproduction d'œuvres littéraires ou artistiques, conclus avant l'état de guerre entre les ressortissants des Puissances alliées ou des personnes résidant sur leurs territoires ou y exerçant leur industrie d'une part, et de ressortissants ottomans d'autre part, seront considérés comme résiliés à dater de l'état de guerre entre la Turquie et la Puissance Alliée. Mais, dans tous les cas, le bénéficiaire primitif d'un contrat de ce genre aura le droit, dans un délai de six mois à dater de la mise en vigueur du présent Traité, d'exiger du titulaire des droits le concession d'une nouvelle licence dont les conditions, à défaut d'entente entre les Parties, seront fixées par le Tribunal Arbitral Mixte prévu à la Section 6 de la présente Partie. Le Tribunal pourra, s'il y a lieu, fixer alors le montant des redevances qui lui paraîtrait justifié en raison de l'utilisation des droits pendant la guerre.

Article 106.

Les habitants des territoires détachés de la Turquie en vertu du présent Traité conserveront, nonobstant cette séparation et le changement de nationalité qui en résultera, la pleine et entière jouissance en Turquie de tous les droits de propriété industrielle et de propriété littéraire et artistique, dont ils étaient titulaires, suivant la législation ottomane, au moment de ce transfert.

Les droits de propriété industrielle, littéraire et artistique en vigueur sur les territoires détachés de la Turquie en vertu du présent Traité au moment de cette séparation ou qui seront rétablis ou restaurés par l'application de l'article 102, seront reconnus par l'Etat auquel sera transféré ledit territoire et demeureront en vigueur sur ce territoire pour la durée qui leur sera accordée suivant la législation ottomane.

Article 107.

Sont confirmés tout octroi de brevets d'invention ou enregistrement de marques de fabrique aussi bien que tout enregistrement de transfert ou cession de

of rights of industrial, literary or artistic property, as well as the sale, offering for sale or the use of products, apparatus, or any articles whatsoever to which these rights apply.

Article 105.

Licences in respect of the use of industrial property, or the reproduction of literary or artistic works, concluded before the war between nationals of the Allied Powers, or persons residing in their territories, or carrying on business therein, on the one hand and Turkish nationals on the other hand, shall be considered as cancelled as from the date of the existence of a state of war between Turkey and the Allied Power. But in any case, the former beneficiary of a contract of this kind shall have the right within a period of six months from the coming into force of the present Treaty to demand from the proprietor of the rights the grant of a new licence, the conditions of which, in default of agreement between the parties, shall be fixed by the Mixed Arbitral Tribunal referred to in Section 6 of the present Part. The Tribunal may, if necessary, fix also the amount which it may deem just should be paid by reason of the use of the rights during the war.

Article 106

The inhabitants of territories detached from Turkey under the present Treaty shall, notwithstanding this transfer and the change of nationality consequent thereon, continue to enjoy in Turkey all the rights in industrial, literary and artistic property to which they were entitled under Ottoman legislation at the time of the transfer.

Rights of industrial, literary and artistic property which are in force in the territories detached from Turkey under the present Treaty at the moment of the transfer, or which will be re-established or restored in accordance with the provisions of Article 102, shall be recognised by the State to which the said territory is transferred, and shall remain in force in that territory for the same period of time as that given to them under Ottoman law.

Article 107.

All grants of patents and registrations of trade-marks, as well as all registrations of transfers or assignments of patents or trade-marks, duly effected since

brevets ou de marques de fabrique qui ont été dûment effectués depuis le 30 octobre 1918 par le Gouvernement Impérial Ottoman à Constantinople ou ailleurs.

the 30th October, 1918, by the Imperial Ottoman Government at Constantinople or elsewhere are confirmed.

SECTION 6

TRIBUNAL ARBITRAL MIXTE

Article 108

Un Tribunal arbitral mixte sera constitué entre chacune des Puissances alliées, d'une part, et la Turquie, d'autre part, dans un délai de trois mois à dater de la mise en vigueur du présent Traité.

Chacun de ces Tribunaux sera composé de trois membres. Chacun des Gouvernements intéressés désignera un de ces membres. Le Président sera choisi à la suite d'un accord entre les deux Gouvernements intéressés.

Au cas où cet accord ne serait pas réalisé dans le délai de deux mois à compter de la date de la mise en vigueur du présent Traité, ledit Président sera désigné, à la demande d'un des Gouvernements intéressés, parmi les personnes ressortissantes à des Puissances demeurées neutres pendant la guerre, par le Président de la Cour Permanente de Justice Internationale de la Haye.

De même si, dans ledit délai de deux mois, un des Gouvernements intéressés ne nomme pas le membre devant le représenter au Tribunal, il appartiendra au Conseil de la Société des Nations de procéder à la nomination de ce membre, à la demande de l'autre Gouvernement intéressé.

Article 109

Si le nombre des affaires le justifie, d'autres membres de tout être désignés pour que chaque Tribunal arbitral mixte puisse se diviser en plusieurs sections. Chacune de ces sections devra être composée comme il a été dit à l'article 108.

Chaque Gouvernement désignera un ou plusieurs agents pour le représenter devant le Tribunal.

Chaque Gouvernement paiera les honoraires du membre du Tribunal arbitral mixte qu'il nomme et de tout agent qu'il désignera pour le représenter devant le Tribunal. Les honoraires du Président seront fixés par accord spécial entre les Gouvernements intéressés, et ces honoraires, ainsi que les dépenses communes de chaque Tribunal, seront payés par moitié par les deux Gouvernements.

SECTION VI.

MIXED ARBITRAL TRIBUNAL.

Article 108.

Within three months from the date of the coming into force of the present Treaty, a Mixed Arbitral Tribunal shall be established between each of the Allied Powers, on the one hand, and Turkey, on the other hand. Each such Tribunal shall consist of three members. Each of the Governments concerned shall appoint one of these members. The President shall be chosen by agreement between the two Governments concerned. In case of failure to reach agreement within two months from the coming into force of the present Treaty, the President shall be appointed upon the request of one of the Governments concerned, from among nationals of powers which remained neutral during the war, by the President of the Permanent Court of International Justice at The Hague.

Further, if within the said period of two months one of the Governments concerned does not appoint a member to represent it on the Tribunal, it shall be the duty of the Council of the League of Nations to proceed to the appointment of such member upon the request of the other Government concerned.

Article 109

If the number of cases justifies it, additional members shall be appointed in order that each Mixed Arbitral Tribunal may sit in several divisions. Each of these divisions shall be constituted in accordance with the provisions of Article 108.

Each Government shall appoint one or more agents to represent it before the Tribunal.

Each Government shall pay the remuneration of the member of the Mixed Arbitral Tribunal appointed by it and of any agent whom it may appoint to represent it before the Tribunal. The remuneration of the President will be determined by special agreement between the Governments concerned; and this remuneration and the joint expenses of each Tribunal will be paid by the two Governments in equal moieties.

Article 110.

Les Tribunaux arbitraux mixtes, créés en vertu des articles 105 et 106, jugeront les différends qui sont de leur compétence en vertu du présent Traité.

La décision de la majorité des membres sera celle du Tribunal.

Les Hautes Parties Contractantes conviennent de considérer les décisions des Tribunaux arbitraux mixtes comme définitives, et de les rendre obligatoires pour leurs ressortissants et d'en assurer l'exécution sur leurs territoires dès que la notification des sentences leur sera parvenue, sans qu'il soit besoin d'aucune procédure d'exequatur.

Les Hautes Parties Contractantes s'engagent en outre à ce que leurs Tribunaux et autorités prêtent directement aux Tribunaux arbitraux mixtes toute l'aide qui sera en leur pouvoir, spécialement en ce qui concerne la transmission des notifications et la réunion des preuves.

Article 111.

1.—Chaque Tribunal arbitral mixte établira lui-même sa procédure. Il décidera de l'ordre et des délais dans lesquels chaque partie devra présenter ses conclusions et réglera les formalités requises pour l'administration des preuves. Il jugera en droit et en équité.

2.—Les avocats et conseils des deux parties seront autorisés à présenter oralement et par écrit au Tribunal la défense de leur cause.

3.—Le Tribunal décidera de toutes questions et espèces qui lui seront soumises, d'après les preuves, témoignages et informations qui pourront être produits par les parties intéressées.

4.—Pour la procédure, la langue employée sera la langue du pays où le Tribunal a son siège et le français, et pour les audiences, sera la langue du pays où se tiennent les audiences et le français.

5. Les sièges, lieux et date des audiences de chaque Tribunal seront déterminés par le Président du Tribunal.

6. Le Tribunal conservera les archives des procès qui lui seront soumis et de la procédure y relative, avec mention des dates.

7.—Chacune des Puissances intéressées pourra nommer un secrétaire. Ces secrétaires constitueront le secrétariat mixte du Tribunal et seront sous ses ordres. Le Tribunal pourra désigner en outre tous les fonctionnaires qui lui paraîtront nécessaires.

8.—En cas de décès ou de démission d'un membre du Tribunal, ou si un membre du Tribunal se trouve, pour une raison quelconque, dans l'impossibilité de remplir ses fonctions, il sera procédé à son remplacement conformément aux principes et modalités indiqués à l'article 108.

Dans ces divers cas, le délai de deux mois, spécifié dans les deux derniers alinéas de l'article 108 commencera à compter du décès ou de la démission, ou de la date à laquelle aura été constatée l'impossibilité ci-dessus mentionnée.

Article 110.

The Mixed Arbitral Tribunals established pursuant to Articles 105 and 106 shall decide all questions within their competence under the present Treaty.

Decisions shall be taken by majority.

The High Contracting Parties agree to regard the decisions of the Mixed Arbitral Tribunals as final and conclusive and to render them binding upon their nationals and to ensure their enforcement in their respective territories as soon as the decisions of the tribunals are notified to them, without it being necessary to have them declared executory.

The High Contracting Parties further undertake that their tribunals and authorities shall directly assist the Mixed Arbitral Tribunals in every way that is in their power, particularly as regards the transmission of notices and the collection of evidence.

Article 111.

1.—Each Mixed Arbitral Tribunal shall settle its own procedure. It shall decide the order and time at which each party must conclude its arguments and arrange all formalities required for dealing with evidence. The Tribunal shall judge in accordance with right and equity.

2.—The agent and counsel of the Parties on each side shall be authorised to present orally and in writing to the Tribunal arguments in support of their case.

3.—The Tribunal shall decide all questions and matters submitted upon such evidence and information as may be furnished by the parties concerned.

4.—The language in which proceedings shall be conducted shall be that of the country in which the Tribunal is situated, and French, and for the hearings shall be the language of the country in which the meetings are held, and French.

5.—The seat of each Tribunal and the place and time for the hearings shall be determined by the President of the Tribunal.

6. The Tribunal shall keep the record of the cases submitted and of the proceedings thereon, with the dates of such proceedings.

7.—Each of the Powers concerned may appoint a secretary. These secretaries shall act together as joint secretariat of the Tribunal and shall be subject to its direction. The Tribunal may appoint and employ any other necessary officer or officers in the performance of its duties.

8. Should one of the members of the Tribunal either die, retire, or be unable for any reason whatever to discharge his functions, the vacancy shall be filled in accordance with the principles and methods laid down in Article 108.

In any of these cases the period of two months laid down in the two last paragraphs of Article 108 shall begin to run from the death or retirement of the member or from the date on which it was established that he was unable to discharge his functions.

SECTION V.

TRAITÉS.

Article 112.

Dès la mise en vigueur du présent Traité et sans préjudice des dispositions qui y sont contenues par ailleurs, les Traités, Conventions et Accords plurilatéraux, de caractère économique ou technique, énumérés ci-après entreront de nouveau en vigueur entre la Turquie et celles des autres Puissances contractantes qui y sont parties :

(1°) Conventions du 14 mars 1884, du 1er décembre 1886 et du 23 mars 1887, et Protocole de clôture du 7 juillet 1887, relatifs à la protection des câbles sous-marins ;

(2°) Convention du 5 juillet 1890, relative à la publication des tarifs de douane et à l'organisation d'une Union internationale pour la publication des tarifs douaniers ;

(3°) Arrangement du 9 décembre 1907, relatif à la création de l'Office international d'hygiène publique à Paris ;

(4°) Convention du 7 juin 1905, relative à la création d'un Institut international agricole à Rome ;

(5°) Convention du 27 juin 1855, relative à l'emprunt turc ;

(6°) Convention du 16 juillet 1863, relative au rachat des droits de péage sur l'Escaut ;

(7°) Convention du 29 octobre 1888, relative à l'établissement d'un régime destiné à garantir le libre usage du Canal de Suez, et sous réserve des stipulations spéciales prévues par l'article 18 du présent Traité ;

(8°) Conventions et Arrangements de l'Union postale universelle, y compris les Conventions et Arrangements postaux de Madrid le 30 novembre 1920 ;

(9°) Conventions télégraphiques internationales, signées à Saint-Pétersbourg le 10/22 juillet

SECTION VII

TREATIES.

Article 112.

From the coming into force of the present Treaty and subject to the provisions thereof, the multilateral treaties, conventions and agreements of an economic or technical character enumerated below shall enter again into force between Turkey and those of the other Contracting Powers party thereto.

1. Conventions of March 14, 1884, of December 1, 1886, and of March 23, 1887, and Final Protocol of July 7, 1887, regarding the protection of submarine cables ;

2. Convention of July 5, 1890, regarding the publication of customs tariffs and the organisation of an International Union for the publication of customs tariffs ;

3. Arrangement of December 9, 1907, regarding the creation of the International Office of Public Hygiene at Paris ;

4. Convention of June 7, 1905, regarding the creation of an International Agricultural Institute at Rome ;

5. Convention of June 27, 1855, regarding the Turkish loan ;

6. Convention of July 16, 1863, for the redemption of the toll dues on the Scheldt ;

7. Convention of October 29, 1888, regarding the establishment of a definite arrangement guaranteeing the free use of the Suez Canal, subject to the special stipulations provided for by Article 18 of the present Treaty ;

8. Conventions and Agreements of the Universal Postal Union, including the Conventions and Agreements signed at Madrid on November 30, 1920 ;

9. International Telegraphic Conventions signed at St. Petersburg on July 10/22, 1875 ; Regula

1875; Règlements et tarifs arrêtés par la Conférence télégraphique internationale de Lisbonne, le 11 juin 1908.

Article 113.

La Turquie s'engage à adhérer aux Conventions ou Accords énumérés ci-après ou à les ratifier:

1°) Convention du 11 octobre 1909, relative à la circulation internationale des automobiles;

(2°) Accord du 15 mai 1886, relatif au plombage des wagons assujettis à la douane et Protocole du 18 mai 1907;

(3°) Convention du 23 septembre 1910, relative à l'unification de certaines règles en matière d'abordage, d'assistance et de sauvetage maritimes.

(4°) Convention du 21 décembre 1904, relative à l'exemption pour les bâtiments hospitaliers des droits et taxes dans les ports;

5°) Conventions du 4 mai 1904, du 4 mai 1910, et du 30 septembre 1921, relatives à la répression de la traite des femmes;

(6°) Convention du 4 mai 1910, relative à la suppression des publications pornographiques;

(7°) Convention, datée du 17 janvier 1912 sous réserve des articles 54, 88 et 90;

(8°) Conventions du 3 novembre 1887 et du 15 avril 1889 relatives aux mesures à prendre contre le phylloxera;

(9°) Convention sur l'Opium signée à La Haye le 23 janvier 1912 et Protocole additionnel de 1914;

(10°) Convention radiotélégraphique internationale du 5 juillet 1912;

(11°) Convention sur le régime des spiritueux en Afrique signée à Saint Germain en Laye le 10 septembre 1919;

(12°) Convention portant revision de l'Acte général de Berlin du 26 février 1885 et de l'Acte général et de la Déclaration de Bruxelles du 2 juillet 1890 signés à Saint Germain en Laye le 10 septembre 1919;

(13°) Convention du 13 octobre 1919 portant réglementation de la navigation aérienne.

(14°) Convention de Berne de 1906 interdire l'usage du phosphore blanc dans la fabrication des allumettes.

La Turquie s'engage en outre à participer à l'élaboration de nouvelles Conventions internationales relatives à la télégraphie et à la radiotélégraphie.

Article 113.

Turkey undertakes to adhere to the Conventions or Agreements enumerated below, or to ratify them

1. Convention of October 11, 1909, regarding the International circulation of motor cars;

2. Agreement of May 15, 1886, regarding the sealing of railway trucks subject to customs inspection, and Protocol of May 18, 1907;

3. Convention of September 23, 1910, respecting the unification of certain regulations regarding collisions and salvage at sea;

4. Convention of December 21, 1904, regarding exemption of hospital ships from dues and charges in ports;

5. Conventions of May 18, 1904, of May 4, 1910, and of September 30, 1921, regarding the suppression of the White Slave Traffic;

6. Convention of May 4, 1910, regarding the suppression of obscene publications;

7. Sanitary Convention of January 17, 1912, Articles 54, 88 and 90 being reserved;

8. Conventions of November 3, 1881, and April 15, 1889, regarding precautionary measures against phylloxera;

9. Opium Convention, signed at The Hague, January 23, 1912, and additional Protocol of 1914;

10. International Radiotelegraphic Convention of July 5, 1912;

11. Convention regarding liquor traffic in Africa, signed at St Germain en Laye, September 10, 1919;

12. Convention revising the General Act of Berlin of February 26, 1885, and the General Act and Declaration of Brussels of July 2, 1890, signed at St Germain en Laye, September 10, 1919;

13. Convention of October 13, 1919, regulating aerial navigation;

14. Convention of September 26, 1906, regarding the prohibition the use of white phosphorus in the manufacture of matches.

Turkey further undertakes to take part in the elaboration of new International Conventions relating to Telegraphy and Radio Telegraphy.

Article 114.

Il est entendu à l'égard de chacune des Puissances alliées de s'entendre avec la Turquie, dans les douze mois qui suivront la mise en vigueur du présent Traité, sur les Traités, conventions et accords bilatéraux conclus avec elle et qu'il y aurait lieu de remettre en vigueur.

Article 114.

It will be for each of the Allied Powers to agree with Turkey in the 12 months following the entry into force of the present Treaty, regarding the bilateral treaties, conventions and agreements concluded with Turkey which there may be occasion again to put into force.

Article 115.

Aucune disposition des Traités, Conventions ou Accords conclus par la Turquie avec une Puissance quelconque ne sera opposable au présent Traité. La Turquie s'engage en conséquence à dénoncer toute disposition inconciliable avec le présent Traité.

Article 115.

No disposition of the treaties, conventions or agreements concluded by Turkey with any Power whatsoever may be held to run counter to the present Treaty. Turkey further undertakes to denounce any disposition irreconcilable with the present Treaty.

SECTION 8

Dispositions Diverses

Article 116.

Les Hautes Parties contractantes sont d'accord pour abroger le régime économique résultant des capitulations. Les relations commerciales de la Turquie avec les autres Puissances contractantes seront régies par les dispositions de la Convention spéciale, signée en date de ce jour, qui aura même force et valeur, au regard des Hautes Parties contractantes, que si ces dispositions figuraient dans les présent Traité.

Article 117.

Les marchandises et produits originaires ou à destination du Maroc (zone française) ainsi que les marchandises et produits originaires ou à destination de la Tunisie, seront soumis en Turquie au même régime que les marchandises françaises.

Les marchandises et produits originaires ou à destination de la Libye seront soumis en Turquie au même régime que les marchandises italiennes

SECTION VIII.

Miscellaneous Provisions.

Article 116.

The High Contracting Parties agree to abrogate the economic régime resulting from the capitulations. The commercial relations of Turkey with the other Contracting Powers shall be governed by the dispositions of the special Convention, signed on this day, which shall have the same force and validity, with regard to the High Contracting Parties, as if such dispositions were included in the present Treaty.

Article 117.

Goods and products originating from, or destined for, Morocco (French zone) as well as goods and products originating from, or destined for, Tunis, shall be subject in Turkey to the same treatment as French goods.

Goods and products originating from, or destined for, Libya shall be subject in Turkey to the same treatment as Italian goods.

PARTIE IV.

VOIES DE COMMUNICATIONS ET QUESTIONS SANITAIRES

SECTION I.

Voies de Communications.

Article 118.

La Turquie déclare adhérer à la Convention et au Statut sur la liberté du transit adoptés par la Conférence de Barcelone, le 14 avril 1921, ainsi qu'à la Convention et au Statut sur le régime des voies navigables d'intérêt international adoptés par ladite Conférence le 20 avril 1921 et au Protocole additionnel

En conséquence, la Turquie s'engage à mettre en application

PART IV.

COMMUNICATIONS AND SANITARY QUESTIONS.

SECTION 1.

Communications.

Article 118.

Turkey undertakes to adhere to the Convention and to the Statute respecting the Freedom of Transit adopted by the Conference of Barcelona on April 14, 1921, as well as to the Convention and the Statute respecting the régime for waterways of international interest adopted by the said Conference on April 20, 1921, and to the supplementary Protocol

Turkey accordingly undertakes to bring into force the provisions

les dispositions de ces Conventions, Statuts et Protocole dès la mise en vigueur du présent Traité.

Article 119.

La Turquie déclare adhérer à la Déclaration de Barcelone en date du 20 avril 1921 " portant reconnaissance du droit au pavillon des Etats dépourvus d'un littoral maritime."

Article 120.

La Turquie déclare adhérer aux Recommendations de la Conférence de Barcelone en date du 20 avril 1921 concernant les ports soumis au régime international. La Turquie fera connaître ultérieurement les ports qui seront placés sous ce régime.

Article 121.

La Turquie déclare adhérer aux Recommandations de la Conférence de Barcelone en date du 20 avril 1921 concernant les voies ferrées internationales. Ces recommandations seront mises en application par le Gouvernement turc dès la mise en vigueur du présent Traité et sous réserve de réciprocité.

Article 122

La Turquie s'engage à souscrire dès la mise en vigueur du présent Traité, aux Conventions et Arrangements signés à Berne le 14 octobre 1890, le 20 septembre 1893, le 16 juillet 1895, le 16 juin 1898, et le 19 septembre 1906 sur le transport des marchandises par voies ferrées.

Article 123

Lorsque, par suite du tracé des nouvelles frontières, une ligne reliant deux parties d'un même pays traversera un autre pays, ou bien une ligne d'embranchement partant d'un pays se terminera dans un autre, les conditions d'exploitation, en ce qui concerne le trafic entre les deux pays, seront réglées par un arrangement à conclure entre les administrations de chemins de fer intéressées. Au cas où ces administrations ne parviendraient pas à se mettre d'accord sur les conditions de cet arrangement, ces conditions seraient fixées par voie d'arbitrage.

L'établissement de toutes les nouvelles gares frontières entre la Turquie et les Etats limitrophes, ainsi que l'exploitation des lignes entre ces gares seront réglées par des arrangements conclus dans les mêmes conditions.

Article 124

Sous réserve de stipulations particulières relatives au transfert des ports et voies ferrées appartenant soit au Gouverne-

of these Conventions, Statutes and Protocol as from the entry into force of the present Treaty.

Article 119.

Turkey undertakes to adhere to the Declaration of Barcelona dated April 20, 1921, "recognising the rights of the flag of States not possessing a sea-board."

Article 120.

Turkey undertakes to adhere to the recommendations of the Conference of Barcelona dated April 20, 1921, respecting ports placed under an international régime. Turkey will subsequently make known those ports which will be placed under that régime.

Article 121.

Turkey undertakes to adhere to the recommendations of the Conference of Barcelona, dated April 20, 1921, respecting international railways. These recommendations will be brought into force by the Turkish Government on the coming into force of the present Treaty and subject to reciprocity.

Article 122

From the coming into force of the present Treaty, Turkey agrees to subscribe to the Conventions and arrangements signed at Berne on October 14, 1890, September 20, 1893, July 16, 1895, June 16, 1898, and September 19, 1906, regarding the transportation of goods by rail.

Article 123

When, as a result of the fixing of new frontiers, a railway connection between two parts of the same country crosses another country, or a branch line from one country has its terminus in another, the conditions of working, in so far as concerns the traffic between the two countries, shall be laid down in a Convention to be concluded between the railway administrations concerned. If these administrations cannot come to an agreement as to the terms of such Convention, those conditions shall be decided by arbitration

The establishment of all new frontier stations between Turkey and the neighbouring States, as well as the working of the lines between those stations, shall be settled by agreements similarly concluded.

Article 124.

Subject to any special provisions concerning the transfer of ports and railways, whether owned by the Turkish Govern-

ment turc soit à des sociétés privées, et situés dans les territoires détachés de la Turquie en vertu du présent Traité, et sous réserve également des dispositions financières du présent Traité relativement aux concessionnaires et au service des pensions de retraite du personnel, le transfert des voies ferrées aura lieu dans conditions suivantes:

(1°.) Les ouvrages et les installations de toutes les voies ferrées seront laissés au complet et en aussi bon état que possible.

(2.) Lorsqu'un réseau ayant un matériel roulant à lui propre sera situé en entier sur un territoire transféré, ce matériel sera laissé au complet, d'après le dernier inventaire au 30 octobre 1918.)

(3°.) Pour les lignes dont, en vertu du présent Traité, l'administration se trouvera répartie, la répartition du matériel roulant sera fixée par voie d'arrangement amiable entre les administrations, auxquelles diverses sections sont attribuées. Cet arrangement devra prendre en considération l'importance du matériel immatriculé sur ces lignes d'après le dernier inventaire au 30 octobre 1918, la longueur des voies y compris les voies de service, la nature et l'importance du trafic. En cas de désaccord, les différends seront réglés par voie d'arbitrage. Cet arbitrage désignera également, le cas échéant, les locomotives, voitures et wagons qui devront être laissés sur chaque section, fixera les conditions de leur réception et réglera les arrangements qu'il jugera nécessaires pour assurer, pendant une période limitée, l'entretien du matériel transféré dans les ateliers existants.

(4.) Les approvisionnements, le mobilier et l'outillage seront laissés dans les mêmes conditions que le matériel roulant.

Article 125.

A moins de dispositions contraires, lorsque, par suite du tracé d'une nouvelle frontière, le régime des eaux (canalisations, inondations, irrigations, drainage ou questions analogues) dans un Etat dépend de travaux exécutés sur le territoire d'un autre Etat, ou lorsqu'il est fait usage sur le territoire d'un Etat, en vertu d'usages antérieurs à la guerre, des eaux ou de l'énergie hydraulique prises sur le territoire d'un autre Etat, il doit être établi une entente entre les Etats intéressés de nature à sauvegarder les intérêts et les droits acquis par chacun d'eux

A défaut d'accord, il sera statué par voie d'arbitrage.

ment or private companies, situated in the territories detached from Turkey under the present Treaty and similarly subject to the financial conditions of the present Treaty relating to the concessionnaires and the pensioning of the personnel, the transfer of railways will take place under the following conditions

(1) The works and installations of all the railroads shall be left complete and in as good condition as possible.

(2) When a railway system possessing its own rolling stock is situated in its entirety in transferred territory, such stock shall be left complete with the railway, in accordance with the last inventory before October 30, 1918

(3) As regards lines, the administration of which will in virtue of the present Treaty be divided, the distribution of the rolling-stock shall be made by friendly agreement between the administrations taking over the several sections thereof. This agreement shall have regard to the amount of the material registered on those lines in the last inventory before October 30, 1918, the length of the track (sidings included) and the nature and amount of the traffic. Failing agreement, the points in dispute shall be settled by an arbitrator. This arbitrator shall also if necessary specify the locomotives, carriages and wagons to be left on each section, the conditions of their acceptance and such provisional arrangements as he may judge necessary to ensure for a limited period the current maintenance in existing workshops of the transferred stock.

(4) Stocks of stores, fittings and plant shall be left under the same conditions as the rolling-stock.

Article 125.

In default of any provision to the contrary, when as the result of the fixing of a new frontier the hydraulic system (canalisation, inundation, irrigation, drainage or similar matters) in a State is dependent on works executed within the territory of another State, or when use is made on the territory of a State, in virtue of pre-war usage, of water or hydraulic power, the source of which is on the territory of another State, an agreement shall be made between the States concerned to safeguard the interests and rights acquired by each of them.

Failing an agreement, the matter shall be regulated by arbitration.

Article 126.

La Roumanie et la Turquie s'entendront pour fixer équitablement les conditions d'exploitation du câble Constanza-Constantinople. A défaut d'entente la question sera réglée par voie d'arbitrage.

Article 127.

La Turquie renonce, en son propre nom et au nom de ses ressortissants, à tous droits, titres ou privilèges de quelque nature que ce soit, sur tout ou partie des câbles n'atterrissant plus sur son territoire.

Si les câbles ou portions de câbles, transférés conformément à l'alinéa précédent, constituent des propriétés privées, il appartiendra aux Gouvernements auxquels la propriété est transférée, d'indemniser les propriétaires. En cas de désaccord sur le montant de l'indemnité, celle-ci sera fixée par voie d'arbitrage.

Article 128.

La Turquie conservera les droits de propriété qu'elle possédera déjà sur les câbles dont un atterrissage au moins reste en territoire turc.

L'exercice des droits d'atterrissage desdits câbles en territoire non turc et les conditions de leur exploitation, seront réglés à l'amiable par les Etats intéressés. En cas de désaccord, le différend sera réglé par voie d'arbitrage.

Article 126.

Roumania and Turkey will come to an agreement as to an equitable arrangement for the working conditions of the Constanza Constantinople cable. Failing agreement, the matter shall be settled by arbitration.

Article 127.

Turkey renounces on her own behalf and on behalf of her nationals all rights, titles or privileges of whatsoever nature over the whole or part of such cables as no longer land on her territory.

If the cables or portions thereof transferred under the preceding paragraph are privately owned, the Governments to which this property is transferred will have to indemnify the owners. Failing agreement respecting the amount of indemnity, this amount will be fixed by arbitration.

Article 128.

Turkey will retain the rights of property which she may already possess over those cables of which at least one end remains in Turkish territory.

The exercise of the landing rights of the said cables in non-Turkish territory and their working conditions shall be settled in a friendly manner by the States concerned. Failing agreement, the dispute will be settled by arbitration.

SECTION II.

Questions Sanitaires.

Article 129.

Le Conseil Supérieur de Santé de Constantinople est supprimé. L'administration turque est chargée de l'organisation sanitaire des côtes et frontières de la Turquie. Toutefois, il est constitué un Comité sanitaire chargé de diriger le personnel, les lazarets, et les installations nécessaires à la défense sanitaire des Détroits.

Ce Comité sera composé d'un médecin turc diplômé, Président, et de trois médecins diplômés qui devront toujours appartenir à trois nationalités différentes. Ces derniers seront choisis par le Gouvernement turc sur une liste de six noms, établie de concert par le Comité d'Hygiène de la Société des Nations et par l'Office International d'Hygiène Publique. Toutes les fois qu'il y aura lieu à remplacement, la liste des médecins proposés au choix du Gouvernement turc sera prendra au moins deux fois

SECTION II

Sanitary Questions.

Article 129.

The Superior Council of Health of Constantinople is abolished. The Turkish administration is entrusted with the sanitary organisation of the coasts and frontiers of Turkey. A sanitary Committee is, however, set up, which is required to direct the personnel, the quarantine stations and the installations necessary for the sanitary protection of the Straits.

This Committee shall be composed of a Turkish doctor possessing a medical degree as President, and of three doctors with degrees, who shall always be of three different nationalities. The latter shall be chosen by the Turkish Government out of a list of six names, drawn up in agreement by the Health Committee of the League of Nations and by the International Office of Public Health. Whenever there is occasion to replace a member of the Committee, the list of doctors from which the Turkish Govern

autant de noms qu'il y aura de vacances à pourvoir.

Les indemnités des membres du Comité seront payées sur le produit des taxes sanitaires: le montant en sera fixé par le Comité d'Hygiène de la Société des Nations.

Le Comité Sanitaire des Détroits sera dissous à l'expiration d'un délai de cinq années, à moins que le Gouvernement turc ne juge nécessaire d'en prolonger la durée.

Article 130.

Le Comité rédigera ses statuts et le statut du personnel sanitaire des Détroits; il établira son budget annuel et le Gouvernement turc s'engage à couvrir les dépenses telles qu'elles seront fixées par ce budget en prélevant les sommes nécessaires sur le produit des taxes sanitaires perçues dans tous les ports turcs, y compris les Détroits.

Le Comité Sanitaire des Détroits édictera un règlement sanitaire pour les Détroits, en se conformant aux dispositions des Conventions sanitaires internationales, et de la Convention sur le régime, des Détroits prévue à l'article 21 du présent Traité.

Un seul et même tarif sanitaire sera appliqué à tous les navires sans distinguer entre le pavillon turc et les pavillons étrangers, et aux ressortissants des Puissances étrangères dans les mêmes conditions qu'aux ressortissants de la Turquie.

Article 131.

La Turquie s'engage à respecter entièrement le droit des employés sanitaires licenciés à une indemnité à prélever sur les fonds sanitaires et tous les autres droits acquis des employés et ex employés sanitaires et de leurs ayants-droit. Toutes les questions ayant trait à ces droits, à la destination à donner aux fonds de réserve de l'ex Conseil Supérieur de Santé de Constantinople, à la liquidation financière et administrative de l'ancienne administration sanitaire et aux modalités de la transition de l'ancien au nouveau régime sanitaire en Turquie ainsi que toute autre question semblable ou connexe seront réglées par une Commission *ad hoc*. Il est entendu que le reliquat des fonds de la réserve générale restant après que satisfaction aura été donnée aux droits ci-dessus mentionnés, sera affecté aux besoins du service sanitaire de la Turquie, soit dans les Détroits soit en dehors des Détroits.

ment is to choose shall include at least twice as many names as there are vacancies to fill.

The salaries of the members of the Committee shall be paid out of the yield of the sanitary dues: the amount of these salaries shall be fixed by the Health Committee of the League of Nations.

The Sanitary Committee of the Straits shall be dissolved upon the expiration of a period of five years, unless the Turkish Government considers it necessary to prolong its existence.

Article 130.

The Committee shall draw up its own statutes and the regulations for the sanitary personnel of the Straits; it shall draw up its annual budget and the Turkish Government undertakes to cover the expenses, as fixed by this budget, by appropriating the necessary sums out of the yield of the sanitary dues levied in all Turkish ports, including the Straits.

The Sanitary Committee of the Straits shall issue a sanitary regulation for the Straits, in conformity with the provisions of international Sanitary Conventions, and of the Convention respecting the régime of the Straits referred to in Article 21 of the present Treaty.

A single sanitary tariff shall be applied to all ships without distinction between the Turkish flag and foreign flags, and to nationals of foreign Powers under the same conditions as to nationals of Turkey.

Article 131.

Turkey undertakes to respect entirely the right of the sanitary employees whose services have terminated to compensation to be appropriated out of sanitary funds, and to all other existing rights of the sanitary employees and ex-employees and of their legal representatives. All questions relating to these rights, to the employment of the reserve funds of the former Superior Council of Health at Constantinople, to the financial and administrative liquidation of the former sanitary administration, and to the methods of transition from the old to the new sanitary régime in Turkey, and also all other similar or cognate questions shall be regulated by a Commission *ad hoc*. It is understood that the balance of the general reserve funds remaining after the above-mentioned rights have been satisfied shall be assigned to the needs of the sanitary service of Turkey, either in or outside the Straits

Cette Commission sera composée d'un Représentant de chacune des Puissances qui faisaient partie du Conseil Supérieur de Santé de Constantinople, à l'exception de l'Allemagne, de l'Autriche et de la Hongrie.

La Turquie s'engage à accepter toutes les décisions de cette Commission.

Article 132.

La Turquie et les Puissances intéressées à la surveillance sanitaire des pèlerinages de Jérusalem, et du Hedjaz et du chemin de fer du Hedjaz, prendront les mesures approuvées, conformément aux dispositions des Conventions sanitaires internationales. A l'effet d'assurer une complète uniformité d'exécution, ces Puissances et la Turquie constitueront une Commission de coordination sanitaire des pèlerinages, dans laquelle les services sanitaires de la Turquie et le Conseil Sanitaire maritime et quarantenaire d'Alexandrie seront représentés.

Cette Commission devra obtenir le consentement préalable de l'Etat sur le territoire duquel elle se réunira.

Article 133.

Les rapports sur les travaux de la Commission de coordination des pèlerinages seront adressés au Comité d'Hygiène de la Société des Nations et à l'Office International d'Hygiène Publique ainsi qu'au Gouvernement de tout pays intéressé aux pèlerinages, qui en ferait la demande. La Commission donnera son avis sur toute question qui lui sera posée par la Société des Nations, par l'Office International d'Hygiène Publique ou par les Gouvernements intéressés.

This Commission shall be composed of a representative of each of the Powers which formed part of the Supreme Council of Health at Constantinople, except Germany, Austria and Hungary.

Turkey undertakes to accept all the decisions of this Commission.

Article 132.

Turkey and those Powers which are interested in the sanitary supervision of the pilgrimages to Jerusalem, of the Hedjaz and of the Hedjaz railway shall take such measures as are appropriate in accordance with the provisions of international sanitary conventions. With a view to ensuring complete uniformity in the execution of these measures, these Powers and Turkey shall constitute a Sanitary Coordination Commission for pilgrimages, on which the sanitary service of Turkey and the Maritime and Quarantine Sanitary Council of Alexandria shall be represented.

This Commission must obtain the previous consent of the State on whose territory it holds its meeting.

Article 133.

Reports on the work of the Coordination Commission of pilgrimages shall be addressed to the Health Committee of the League of Nations and to the International Office of Public Health, and also to the Government of each country which is interested in pilgrimages and makes a request therefor. The Commission will give its opinion on every question put to it by the League of Nations, by the International Office of Public Health or by the interested Governments.

PARTIE V.

CLAUSES DIVERSES.

1. Prisonniers de Guerre.

Article 134.

Les Hautes Parties Contractantes s'engagent à rapatrier immédiatement les prisonniers de guerre et internés civils qui seraient restés entre leurs mains.

L'échange des prisonniers de guerre et internés civils détenus respectivement par la Grèce et la Turquie fait l'objet de l'accord particulier entre ces Puissances, signé le [illegible] 1923.

Article 135.

Les prisonniers de guerre et internés civils qui sont passibles

PART V.

MISCELLANEOUS PROVISIONS.

I. Prisoners of War.

Article 134.

The High Contracting Parties agree to repatriate at once the prisoners of war and interned civilians who are still in their hands.

The exchange of prisoners of war and interned civilians detained by Greece and Turkey respectively forms the subject of a separate agreement between those Powers signed on [illegible] 1923.

Article 135.

Prisoners of war and interned civilians awaiting disposal or

ou frappés de peines pour fautes contre la discipline, seront rapatriés sans qu'il soit tenu compte de l'achèvement de leur peine ou de la procédure engagée contre eux.

Ceux qui sont passibles ou frappés de peines pour des faits autres que des infractions disciplinaires, pourront être maintenus en détention.

Article 136.

Les Hautes Parties Contractantes s'engagent à donner sur leurs territoires respectifs toutes facilités pour la recherche des disparus ou l'identification des prisonniers de guerre et internés civils qui ont manifesté le désir de ne pas être rapatriés.

Article 137.

Les Hautes Parties Contractantes s'engagent à restituer dès la mise en vigueur du présent Traité tous les objets, monnaie, valeurs, documents ou effets personnels de toute nature appartenant ou ayant appartenu aux prisonniers de guerre et internés civils, et qui auraient été retenus.

Article 138.

Les Hautes Parties Contractantes déclarent renoncer au remboursement réciproque des sommes dues pour l'entretien des prisonniers de guerre capturés par leurs armées.

2. Sépultures.

Article 139.

Sans préjudice des dispositions particulières qui font l'objet de l'article 141 ci-après, les Hautes Parties Contractantes feront respecter et entretenir, sur les territoires soumis à leur autorité, les cimetières, sépultures, ossuaires et monuments commémoratifs des soldats et marins de chacune d'elles tombés sur le champ de bataille ou morts des suites de leurs blessures, d'accidents ou de maladies, depuis le 29 octobre 1914, ainsi que ceux des prisonniers de guerre et des internés civils décédés en captivité depuis la même date.

Les Hautes Parties contractantes s'entendront pour donner toutes facilités de remplir leur mission sur leurs territoires respectifs aux Commissions que chacune d'elles pourra charger d'identifier, d'enregistrer, d'entretenir lesdits cimetières, ossuaires et sépultures, et d'élever des monuments convenables sur leurs emplacements. Ces Commissions ne devront avoir aucun caractère militaire.

Elles conviennent de se donner réciproquement, sous réserve des prescriptions de leur législation

undergoing sentence for offences against discipline shall be repatriated irrespective of the completion of their sentence or of the proceedings pending against them.

Prisoners of war and interned civilians who are awaiting trial or undergoing sentence for offences other than those against discipline may be detained.

Article 136.

The High Contracting Parties agree to give every facility in their respective territories for the search for the missing and the identification of prisoners of war and interned civilians who have expressed their desire not to be repatriated.

Article 137.

The High Contracting Parties undertake to restore on the coming into force of the present Treaty all articles, money, securities, documents and personal effects of every description belonging to or having belonged to prisoners of war or interned civilians and which have been retained.

Article 138.

The High Contracting Parties waive reciprocally all repayments of sums due for the maintenance of prisoners of war captured by their armies.

II. Graves.

Article 139.

Without prejudice to the special provisions of Article 141 of the present Treaty, the High Contracting Parties will cause to be respected and maintained within the territories under their authority the cemeteries, graves, ossuaries and memorials of soldiers and sailors who fell in action or died from wounds, accident or disease since October 29, 1914, as well as prisoners of war and interned civilians who died in captivity after that date.

The High Contracting Parties will agree to accord in their respective territories all necessary facilities to such Commissions as each Contracting Party may appoint for the purpose of the identification, registration and maintenance of the said cemeteries, ossuaries and graves, and the erection of memorials on their sites. Such Commissions shall not have any military character.

The High Contracting Parties reciprocally undertake subject to the provisions of their national

nationale et des nécessités de l'hygiène publique, toutes facilités pour satisfaire aux demandes de rapatriement des restes de leurs soldats et marins visés ci-dessus.

Article 140.

Les Hautes Parties contractantes s'engagent à se fournir réciproquement :

1° la liste complète des prisonniers de guerre et internés civils décédés en captivité, en y joignant tous renseignements utiles à leur identification ;

2° toutes indications sur le nombre et l'emplacement des sépultures des morts enterrés sans avoir été identifiés.

Article 141.

L'entretien des sépultures, cimetières, ossuaires et monuments commémoratifs des soldats, marins et prisonniers de guerre turcs morts sur le territoire roumain depuis le 27 août 1916, ainsi que toute autre obligation résultant des articles 139 et 140 en ce qui concerne les internés civils, feront l'objet d'un arrangement spécial entre le gouvernement roumain et le gouvernement turc.

Article 142.

Pour compléter les stipulations d'ordre général des articles 139 et 140, les gouvernements de l'Empire britannique, de la France et de l'Italie d'une part, et les gouvernements turc et hellénique d'autre part, conviennent des dispositions spéciales qui font l'objet des articles 143 à 151.

Article 143.

Le gouvernement turc s'engage, vis-à-vis des gouvernements de l'Empire britannique, de la France et de l'Italie, à leur concéder séparément à perpétuité, sur son territoire, les terrains où se trouvent des sépultures, cimetières, ossuaires et monuments commémoratifs de leurs soldats et marins respectifs tombés sur le champ de bataille ou morts des suites de leurs blessures, d'accidents ou de maladies ainsi que de leurs prisonniers de guerre et internés civils décédés en captivité. Il leur concédera de même les terrains qui seront reconnus nécessaires à l'avenir, pour l'établissement de cimetières de groupement, d'ossuaires ou de monuments commémoratifs par les Commissions prévues à l'article 145.

Il s'engage en outre à donner libre accès à ces sépultures, cimetières, ossuaires et monuments et à autoriser, le cas échéant, la construction des routes et chemins nécessaires.

Le gouvernement hellénique prend les mêmes engagements en ce qui concerne son territoire.

Les dispositions qui précèdent ne portent pas atteinte à la souveraineté turque ou, suivant le cas à la souveraineté hellénique, sur les territoires concédés.

Article 144.

Parmi les terrains à concéder par le gouvernement turc seront compris notamment pour l'Empire britannique ceux de la région d'Anzac (Ari Burnu) qui sont indiqués sur la carte No. 3.

Article 145.

Chacun des gouvernements britannique, français et italien désignera une Commission à laquelle les gouvernements turc et hellénique délégueront un représentant et qui sera chargée de régler sur place les questions concernant les sépultures, cimetières, ossuaires et monuments commémoratifs. Ces Commissions seront notamment chargées de :

(1°) reconnaître les zones où les inhumations ont été ou ont pu être faites, et constater les sépultures, cimetières, ossuaires ou monuments existants.

(2°) fixer les conditions dans lesquelles il sera procédé, s'il y a lieu, à des regroupements de sépultures ; désigner de concert avec le représentant turc en territoire turc, avec le représentant hellénique en territoire hellénique, les emplacements des cimetières de regroupement, des ossuaires et des monuments commémoratifs à établir ; et déterminer les limites de ces emplacements en réduisant la surface occupée au minimum indispensable.

(3°) notifier aux gouvernements turc et hellénique, au nom de leurs gouvernements respectifs, le plan définitif des sépultures, cimetières, ossuaires et monuments établis ou à établir, pour leurs nationaux.

Article 146

Les gouvernements concessionaires s'engagent à ne pas donner ni laisser donner aux terrains concédés d'autres usages que ceux ci-dessus visés. Si ces terrains sont situés au bord de la

of public health to furnish each legislation and the requirements other every facility for giving effect to requests that the bodies of such soldiers and sailors may be transferred to their own country.

Article 140.

The High Contracting Parties further undertake to furnish each other :

(1) A complete list of prisoners of war and interned civilians who have died in captivity, together with all information tending towards their identification.

(2) All information as to the number and position of the graves of all those who have been buried without identification.

Article 141.

The maintenance of the graves, cemeteries, ossuaries and memorials of Turkish soldiers, sailors and prisoners of war who may have died on Roumanian territory since August 27, 1916, as well as all other obligations deriving under Articles 139 and 140 regarding interned civilians shall form the object of a special arrangement between the Roumanian Government and the Turkish Government.

Article 142.

In order to complete the general provisions included in Articles 139 and 140, the Governments of the British Empire, France and Italy on the one hand and Governments of Turkey and Greece on the other agree to the special provisions contained in Articles 143 to 151.

Article 143.

The Turkish Government undertakes to grant to the British, French and Italian Governments respectively and in perpetuity the land within its territory in which are situated the graves, cemeteries, ossuaries or memorials of their soldiers and sailors who fell in action or died of wounds, accident or disease, as well as those of their prisoners of war and interned civilians who died in captivity. The Turkish Government will also grant to these Powers the land which the commissions provided for in Article 145 shall consider necessary for the establishment of cemeteries, for the regrouping of graves, for ossuaries or memorials.

The Turkish Government undertakes further to give free access to these graves, cemeteries, ossuaries and memorials and if need be to authorise the construction of the necessary roads and pathways.

The Greek Government undertakes to fulfil the same obligations in so far as concerns its territory.

The above provisions shall not affect Turkish or Greek sovereignty over the land thus granted.

Article 144.

The land to be granted by the Turkish Government will include in particular, in so far as the British Empire is concerned, the area in the region of Anzac (Ari Burnu) which is shown on the Map.

Article 145.

The British, French and Italian Governments shall appoint a commission to which the Turkish and Greek Governments will appoint a representative, to which will be entrusted the duty of regulating on the spot questions affecting the graves, cemeteries, ossuaries and memorials. The duties of this commission shall extend particularly to :

(1) The official recognition of the zones where burials have already taken place and the registration of graves, cemeteries, ossuaries, or memorials already existing.

(2) fixing the conditions in which, if necessary, graves may in future be concentrated, and deciding, in conjunction with the Turkish representative in Turkish territory and the Greek representative in Greek territory, the sites of the regrouped cemeteries, ossuaries and memorials still to be established and defining the boundaries of these sites in such a way as shall restrict the land to be occupied within the limits indispensable for the purpose.

(3) communicating to the Turkish and Greek Governments in the name of their respective Governments a final plan of the graves, cemeteries, ossuaries and memorials, whether already established or to be established for their nationals.

Article 146.

The Government in whose favour the grant is made undertakes not to employ the land so conceded nor to allow it to be employed for any purpose other than that provided for above. If this

mer, le rivage n'en pourra être utilisé pour aucun but militaire, maritime ou commercial quelconque par le gouvernement concessionnaire. Les terrains des sépultures et cimetières qui seraient désaffectés et qui ne seraient pas utilisés pour l'érection de monuments commémoratifs, feront retour au gouvernement turc ou suivant le cas au gouvernement hellénique

land is situated on the coast the shore may not be employed by the concessionary Government for any military, naval or commercial purpose whatever. The sites of graves and cemeteries which may no longer be used for that purpose and which are not used for the erection of memorials shall be returned to the Turkish or Greek Government.

Article 147

Les mesures législatives ou administratives nécessaires pour accorder aux gouvernements britannique, français et italien la pleine et entière jouissance à perpétuité des terrains visés aux articles 143 à 145, devront être prises respectivement par le gouvernement turc et le gouvernement hellénique dans les six mois qui suivront la notification prévue à l'article 145, alinéa 3. Si des expropriations sont nécessaires, elles seront effectuées par les soins et aux frais des gouvernements turc et hellénique sur leurs territoires respectifs

Article 147

Any necessary legislative or administrative measures for the grant to the British, French and Italian Governments respectively of full and exclusive use in perpetuity of the land referred to in Articles 143, 144 and 145 shall be taken by the Turkish Government and Greek Governments respectively within six months of the date of the notification to be made in accordance with paragraph 3 of Article 145. If any compulsory acquisition of the land is necessary it will be effected by and at the cost of the Turkish Government or the Greek Government in their respective territories

Article 148

Les gouvernements britannique, français et italien seront libres de confier à tel organe d'exécution qu'ils jugeront convenable l'établissement, l'aménagement et l'entretien des sépultures, cimetières, ossuaires et monuments de leurs ressortissants. Ces organes ne devront pas avoir de caractère militaire. Il aucun droit de faire procéder aux exhumations et transferts de corps jugés nécessaires pour assurer le regroupement des sépultures et l'établissement des cimetières et ossuaires aussi qu'aux exhumations et transferts des corps, dont les gouvernements concessionnaires jugeraient devoir opérer le rapatriement.

Article 148

The British, French and Italian Governments may respectively entrust to such organisations as each of them may deem fit the establishment, arrangement and maintenance of the graves, cemeteries, ossuaries and memorials of their nationals. These organisations shall have no military character. They alone shall have the right to undertake the exhumation or transfer of bodies necessary for the concentration of graves and establishment of cemeteries and ossuaries, as well as the exhumation and removal of such bodies as the concessionary Governments shall deem it necessary to transfer to their own country.

Article 149.

Les gouvernements britannique, français et italien auront le droit de faire assurer la garde de leurs sépultures, cimetières, ossuaires et monuments commémoratifs situés en Turquie, par des gardiens désignés parmi leurs ressortissants. Ces gardiens devront être reconnus par les autorités turques et devront recevoir le concours de ces dernières pour assurer la sauvegarde des sépultures, cimetières, ossuaires et monuments. Ils n'auront aucun caractère militaire, mais pourront être armés, pour leur défense personnelle, d'un revolver ou pistolet automatique

Article 149

The British, French, and Italian Governments shall have the right to entrust the care of their graves, cemeteries, ossuaries and memorials in Turkey to custodians appointed from among their own nationals. These custodians shall be recognised by the Turkish authorities and shall receive from them every assistance necessary for the safeguard and protection of these graves, cemeteries, ossuaries and memorials. The custodians shall have no military character but may be armed for their personal defence with a revolver or automatic pistol.

Article 150.

Les terrains visés dans les articles 143 à 146 ne seront soumis par la Turquie et les autorités turques, ou selon le cas par la Grèce et les autorités helléniques à aucune espèce de loyer, taxe ou impôt. Leur accès sera libre en tout temps aux représentants des gouvernements britannique, français et italien, ainsi qu'aux personnes désireuses de visiter les sépultures, cimetières, ossuaires et monuments commémoratifs. Le gouvernement turc et le gouvernement hellénique, respectivement, prendront à leur charge à perpétuité l'entretien les routes donnant accès auxdits terrains.

Le gouvernement turc et le gouvernement hellénique, respectivement, s'engagent à accorder aux gouvernements britannique, français et italien toutes facilités pour leur permettre de se procurer la quantité d'eau nécessaire aux besoins du personnel affecté à l'entretien ou à la garde desdits cimetières, sépultures, ossuaires, monuments et pour l'irrigation du terrain.

Article 150.

The land referred to in Articles 143 to 146 shall not be subjected by Turkey or the Turkish authorities, or by Greece or the Greek authorities as the case may be, to any form of rent or taxation. Representatives of the British, French or Italian Governments, as well as persons desirous of visiting the graves, cemeteries, ossuaries and memorials, shall at all times have free access thereto. The Turkish Government and the Greek Government respectively undertake to maintain in perpetuity the roads leading to the said land.

The Turkish Government and the Greek Government respectively undertake to afford to the British, French and Italian Governments all necessary facilities for obtaining a sufficient water supply for the requirements of the staff engaged in the maintenance or protection of the said graves, cemeteries, ossuaries and memorials, and for the irrigation of the land.

Article 151.

Les gouvernements britannique, français et italien s'engagent à accorder au gouvernement turc le bénéfice des dispositions des articles 143 à 150 pour l'établissement des sépultures, cimetières, ossuaires et monuments commémoratifs des soldats et marins turcs reposant sur les territoires dépendant de leur autorité, y compris ceux de ces territoires qui sont détachés de la Turquie.

Article 151

The British, French and Italian Governments undertake to accord to the Turkish Government the benefits of the provisions contained in Articles 143 to 150 of the present Treaty for the establishment of graves, cemeteries, ossuaries and memorials of Turkish soldiers and sailors existing on the territories under their authority, including those territories detached from Turkey.

3. Dispositions Générales.

III. General Provisions.

Article 152.

Sans préjudice des dispositions de la Partie II (Clauses financières) et de la Partie III (Clauses économiques), est confirmée la validité de tous les ordres donnés, dépenses et affectations financières et en général de toutes les mesures prises en Turquie depuis le 30 octobre 1918 jusqu'à la mise en vigueur du présent Traité, par les autorités des Puissances ayant occupé Constantinople, concernant notamment l'administration publique y compris la police, ainsi que les biens, droits et intérêts privés de leurs ressortissants, des étrangers ou des ressortissants turcs et les rapports des uns et des autres avec les autorités de la Turquie.

Il en est de même des ordres donnés et des mesures prises par les autorités desdites Puissances d'accord avec les autorités de la Turquie, ainsi que des ordres donnés et des mesures prises par

Article 152

Without prejudice to the provisions of Part II (Financial Clauses) and Part III (Economic Clauses) the validity of all orders given, all payments and financial arrangements made, and all measures taken in Turkey since October 30, 1918, until the coming into force of the present Treaty, by the authorities of Powers who have been in occupation of Constantinople, is hereby confirmed, and especially in so far as concerns the public administration including police, as well as the property, rights and interests of their nationals, of foreigners or Turkish nationals, and the relations of either with the Turkish authorities.

Similar confirmation is given to the orders issued and the measures taken by the authorities of the said Powers in agreement with the Turkish authorities, as well as to the orders issued and

les autorités de la Turquie d'accord avec les autorités desdites Puissances.

Aucune réclamation du gouvernement turc ou de ses ressortissants ne sera recevable vis-à-vis des Puissances ayant occupé Constantinople ou vis-à-vis de leurs ressortissants ou des étrangers, du chef des ordres ou mesures ci-dessus visés ou en raison d'omissions qui auraient pu être commises par les autorités desdites Puissances ou sur leurs ordres, relativement auxdits biens, droits et intérêts ou aux rapports de leurs ressortissants, des étrangers ou des ressortissants turcs avec les autorités de la Turquie.

Article 153.

Toutes décisions judiciaires rendues en Turquie depuis le 30 octobre 1918 jusqu'à la mise en vigueur du présent Traité, par un juge ou un tribunal des Puissances ayant occupé Constantinople ensemble les mesures d'exécution, seront reconnues par le gouvernement turc.

Il en est de même des décisions rendues par la Commission judiciaire mixte provisoire constituée le 8 décembre 1921 par les autorités desdites Puissances d'accord avec le gouvernement impérial ottoman.

Article 154

Dès la mise en vigueur du présent Traité, la Turquie remettra sans délai aux gouvernements intéressés les archives, registres, plans, titres et documents de toute nature appartenant aux administrations civile, militaire, financière, judiciaire ou autres des territoires transférés. Si quelques-uns de ces documents, archives, registres, titres ou plans avaient été déplacés, ils seront restitués par la Turquie, sur la demande du gouvernement intéressé.

Dans le cas où les archives, registres, plans, titres ou documents visés à l'alinéa 1er et n'ayant pas un caractère militaire concerneraient également les administrations turques et où, en conséquence, leur remise ne pourrait avoir lieu sans préjudice pour ces dernières, la Turquie s'engage, sous condition de réciprocité, à en donner communication aux Gouvernements intéressés.

Le gouvernement turc s'engage spécialement à remettre au gouvernement hellénique les registres fonciers hors cadre ou autres registres publics qui concernent la propriété foncière dans les districts de l'ancien Empire

the measures taken by the Turkish authorities in agreement with the authorities of the said Powers.

No claim by the Turkish Government or Turkish nationals shall lie against the Powers who have been in occupation of Constantinople, or against their nationals or foreigners, on account of the orders and measures above referred to or because of any omissions which may have been committed by the authorities of the said Powers or upon their instructions, relative to the said rights, properties or interests or to the relations between their nationals, foreigners or Turkish nationals with the Turkish authorities.

Article 153.

All judgments passed in Turkey since October 30, 1918, until the entry into force of the present Treaty by any judge or tribunal of any of the Powers who have been in occupation of Constantinople, as well as the measures taken to execute such judgments, shall be recognised by the Turkish Government.

Similar recognition shall be given to the decisions emanating from the Provisional Mixed Judicial Commission constituted on December 8, 1921, by the authorities of the said Powers in agreement with the Imperial Ottoman Government.

Article 154

On the coming into force of the present Treaty, Turkey will hand over without delay to the Governments concerned archives, registers, plans, title-deeds and documents of every kind belonging to the civil, military, financial, judicial or other forms of administration in the transferred territories. If any one of these documents, archives, registers, title-deeds or plans is missing, it shall be restored by Turkey upon the demand of the Government concerned.

In case the archives, registers, plans, title-deeds or documents referred to in the preceding paragraph, exclusive of those of a military character, concern equally the administrations in Turkey, and cannot therefore be handed over without inconvenience to such administrations, Turkey undertakes, subject to reciprocity, to give access thereto to the Governments concerned.

The Turkish Government undertakes in particular to restore to the Greek Government the local land registers or any other public registers relating to landed property in the districts of the former Turkish

ottoman transférés à la Grèce postérieurement à 1912, et que les autorités turques ont enlevés ou pu enlever au moment de l'évacuation.

Dans le cas où la restitution d'un ou de plusiers registres serait impossible en raison de leur disparition ou pour toute autre cause, et s'il est nécessaire à la vérification des titres produits devant les autorités hellèniques, le gouvernement hellénique aura le droit de prendre toutes copies nécessaires des mentions portées dans le registre foncier central à Constantinople.

Article 155.

Le gouvernement turc s'engage, à charge de réciprocité, à donner aux gouvernements exerçant l'autorité sur les territoires détachés de la Turquie conformément au présent Traité, ou dont le statut actuel est reconnu par la Turquie en vertu du présent Traité, libre accès aux archives et documents de toute nature concernant l'administration des *Vakoufs* dans lesdits territoires ou les *Vakoufs* particuliers, en quelque lieu qu'ils soient situés, et dans lesquels sont intéressées des personnes ou des institutions établies sur lesdits territoires.

Article 156.

La Turquie s'engage à reconnaître et agréer les Conventions passées ou à passer par les autres Puissances contractantes ou certaines d'entre elles avec toute autre Puissance, relativement au commerce des armes.

Article 157.

La Turquie accepte et reconnaît comme valables et obligatoires toutes décisions et tous ordres concernant les navires turcs et les marchandises turques, ainsi que toutes décisions et ordres relatifs au payement des frais et rendus par l'une quelconque des juridictions de prises des autres Puissances contractantes et s'engage à ne présenter, au nom de ses nationaux, aucune réclamation relativement à ces décisions ou ordres.

Article 158

La Convention particulière, conclue le ..... 192..... entre la Grèce et la Turquie relativement à l'échange des populations grecques et turques aura entre ces deux Hautes Parties Contractantes même force et valeur que si elle figurait dans le présent Traité.

Article 159.

La Belgique, la Pologne, le Portugal et l'Etat tchéco

Empire transferred to Greece since 1912, which the Turkish authorities removed or may have removed at the time of the evacuation.

In cases where the restitution of one or more of such registers is impossible owing to their disappearance or for any other reason, and whenever necessary for purposes of verification of titles produced to the Greek authorities, the Greek Government shall be entitled to take any necessary copies of the entries in the Central Land Registry at Constantinople.

Article 155.

The Turkish Government undertakes, subject to reciprocity, to afford to the Governments exercising authority over territory detached from Turkey in accordance with the present Treaty, or of which the existing status is recognised by Turkey under the present Treaty, access to any archives and documents of every description relating to the administration of Wakfs in such territory, or to particular Wakfs, wherever situated, in which persons or institutions established in such territory are interested.

Article 156.

Turkey undertakes to recognise and to accept the Conventions made or to be made by the other Contracting Powers or any of them with any other Power as to the traffic in arms.

Article 157.

Turkey accepts and recognises as valid and binding all decrees and orders concerning Turkish ships and goods and all orders relating to the payment of costs made by any Prize Court of any of the other Contracting Powers, and undertakes not to put forward any claim arising out of such decrees or orders on behalf of any Turkish national.

Article 158.

The separate Convention concluded on ..... 192 ..... between Greece and Turkey, relating to the exchange of the Greek and Turkish populations, will have as between these two High Contracting Parties the same force and effect as if it formed part of the present Treaty.

Article 159.

Belgium, Poland, Portugal and the Czecho-Slovak State, whose

slovaque, dont les nations ont, au cours de la guerre 1914-1918, combattu aux côtés des Puissances concluant aujourd'hui la paix avec la Turquie, seront admises à accéder aux dispositions d'ordre économique et financier du présent Traité.

Cette accession, qui rétablira en tant que de besoin l'état de paix entre la Puissance accédante et la Turquie, sera notifiée au gouvernement de la République française, qui en adressera une copie authentique aux Puissances signataires du présent Traité.

peoples, during the war of 1914-1918 fought on the side of the Powers now concluding peace with Turkey, may accede to the economic and financial provisions of the present Treaty.

Such accession will re-establish, if this has not already been done, a state of peace between the acceding Power and Turkey. The accession will be notified to the Government of the French Republic, which will transmit a certified copy of the notification to the Powers signatory of the present Treaty.

Article 160.

Le présent Traité sera ratifié dans le délai le plus court que possible.

Les ratifications seront déposées à Paris.

Le gouvernement japonais aura la faculté de se borner à faire connaître au gouvernement de la République française par son représentant diplomatique à Paris que la ratification a été donnée et, dans ce cas, il devra transmettre l'instrument aussitôt que faire se pourra.

Chacune des Puissances signataires ratifiera par un seul et même instrument le présent Traité, ensemble les autres actes signés par elle et prévus dans l'Acte Final de la Conférence de Lausanne, en tant que ceux-ci requièrent une ratification.

Un premier procès-verbal de dépôt sera dressé dès que la Turquie d'une part et l'Empire britannique, la France, l'Italie, le Japon ou trois d'entre eux d'autre part, auront déposé l'instrument de leur ratification.

Dès la date de ce premier procès-verbal, le Traité entrera en vigueur entre les Hautes Parties Contractantes qui l'auront ainsi ratifié. Il entrera ensuite en vigueur pour les autres Puissances à la date du dépôt de leur ratification.

Le gouvernement français remettra à toutes les Puissances signataires une copie authentique des procès-verbaux de dépôt des ratifications.

En foi de quoi les Plénipotentiaires susnommés ont signé le présent Traité.

Fait à Lausanne le 192... en un seul exemplaire qui sera déposé dans les archives du gouvernement de la République française, lequel en remettra une expédition authentique à chacune des Puissances signataires.

Article 160.

The present Treaty shall be ratified as soon as possible.

The ratifications shall be deposited at Paris.

The Japanese Government will be entitled merely to inform the Government of the French Republic through their diplomatic representative at Paris when their ratification has been given; in that case, they must transmit the instrument of ratification as soon as possible.

Each of the signatory Powers will ratify by one single instrument the present Treaty and the other instruments signed by it and mentioned in the Final Act of the Conference of Lausanne in so far as these require ratification.

A first *procès-verbal* of the deposit of ratifications shall be drawn up as soon as Turkey on the one hand, and the British Empire, France, Italy and Japan, or any three of them, on the other hand, have deposited the instrument of their ratification.

From the date of this first *procès-verbal* the Treaty will come into force between the High Contracting Parties who have thus ratified it. Thereafter it will come into force for the other Powers at the date of the deposit of their ratifications.

The French Government will transmit to all the Signatory Powers a certified copy of the *procès-verbaux* of the deposit of ratifications.

In Faith Whereof the abovenamed Plenipotentiaries have signed the present Treaty.

Done at Lausanne, the... ....., 192....., in a single copy which will be deposited in the archives of the Government of the French Republic, which will transmit a certified copy to each of the Signatory Powers.

(Signatures et cachets.)

(Signatures and seals.)

PROJET DE DÉCLARATION.

Les gouvernements (britannique, français, italien, . . .) reconnaissant l'intérêt de la mesure d'apaisement qui a fait l'objet de l'article 5 de la Convention intervenue entre le gouvernement hellénique et le gouvernement turc pour la restitution des otages civils et l'échange des prisonniers de guerre, se déclarent disposés à adopter, moyennant réciprocité de la part du gouvernement turc, les mêmes dispositions au bénéfice des prisonniers de guerre et internés civils turcs qu'ils pourraient encore détenir à l'exception de ceux qui auraient commis des crimes et délits de droit commun postérieurement à la date du 20 novembre 1922.

DRAFT DECLARATION.

The (British, French, Italian .....) Governments acknowledging the importance of the measure of pacification which forms the subject of Article 5 of the Convention concluded between the Greek Government and the Turkish Government for the return of civilian hostages and for the exchange of prisoners of war, declare that they are prepared to adopt, subject to reciprocity on the part of the Turkish Government, the same measures for the benefit of such Turkish prisoners of war and interned civilians as may still be in their hands, with the exception of those who may have committed crimes and offences against the ordinary law since 20th November, 1922.

Document No. II. of Final Act.

PROJET DE CONVENTION CONCERNANT LE RÉGIME DES DÉTROITS.

L'Empire Britannique, la France, l'Italie, le Japon, la Bulgarie, la Grèce, la Roumanie, la Russie, l'Etat Serbe Croate-Slovène et la Turquie.

Soucieux d'assurer dans les Détroits à toutes les nations la liberté de passage et de navigation entre la Mer Méditerranée et la Mer Noire, conformément au principe consacré par l'Article 21 du Traité de paix en date de ce jour;

Et considérant que le maintien de cette liberté est nécessaire à la paix générale et au commerce du monde;

Ont résolu de conclure une Convention à cet effet et ont nommé pour leurs Plénipotentiaires respectifs, savoir:

. . . . . .

. . . . . .

. . . . . .

Lesquels, après avoir exhibé leurs pleins pouvoirs trouvés en bonne et due forme, sont convenus des dispositions ci-après.

Article 1.

Les Hautes Parties Contractantes sont d'accord pour reconnaître et déclarer le principe de la liberté de passage et de navigation par mer et dans les airs dans le Détroit des Dardanelles, la Mer de Marmara et le Bosphore, ci-après compris sous le dénomination générale de "Détroits."

Article 2.

Le passage et la navigation des navires et aéronefs de commerce

DRAFT STRAITS CONVENTION.

The British Empire, France, Italy, Japan, Bulgaria, Greece, Roumania, Russia, the Serb-Croat-Slovene State and Turkey being desirous of ensuring in the Straits freedom of transit and navigation between the Mediterranean Sea and the Black Sea for all nations, in accordance with the principle laid down in Article 21 of the Treaty of Peace of even date:

And considering that the maintenance of that freedom is necessary to the general peace and the commerce of the world;

Have decided to conclude a convention to this effect and have appointed as their respective Plenipotentiaries the following:—

. . . . . .

. . . . . .

. . . . . .

Who having produced their full powers found in good and due form have agreed as follows:—

Article 1.

The High Contracting Parties agree to recognise and declare the principle of freedom of transit and of navigation by sea and by air in the Straits of the Dardanelles, the Sea of Marmora and the Bosphorus, hereinafter comprised under the general term of the "Straits."

Article 2.

The transit and navigation of commercial vessels and aircraft

et des bâtiments et aéronefs de guerre dans les Détroits en temps de paix et en temps de guerre seront dorénavant réglés par les dispositions de l'annexe ci-jointe.

ANNEXE.

RÈGLES POUR LE PASSAGE DES NAVIRES ET AÉRONEFS DE COMMERCE ET DES BÂTIMENTS ET AÉRONEFS DE GUERRE DANS LES DÉTROITS.

Paragraphe 1.—Navires de commerce, y compris les navires hôpitaux, yachts et bateaux de pêche, ainsi que les aéronefs non militaires.

(a) *en temps de paix:*

Complète liberté de navigation et de passage, de jour et de nuit, quels que soient le pavillon et la chargement, sans aucune formalité, taxe ou charge quelconques, sous réserves des dispositions sanitaires internationales, et si ce n'est pour services directement rendus, telles que taxes de pilotage, phares, remorquage ou autres de même nature, et sans qu'il soit porté atteinte aux droits exercés à cet égard par les services et entreprises actuellement concédés par le gouvernement ture.

Pour faciliter la perception de ces droits, les navires de commerce franchissant les Détroits devront signaler aux postes indiqués par le Gouvernement ture, leur nom, leur nationalité, leur tonnage et leur destination.

Le pilotage reste facultatif.

(b) *en temps de guerre, la Turquie restant neutre:*

Complète liberté de navigation et de passage, de jour et de nuit, dans les mêmes conditions que ci-dessus. Les droits et devoirs de la Turquie, comme Puissance neutre, ne sauraient l'autoriser à prendre aucune mesure susceptible d'entraver la navigation dans les Détroits, dont les eaux et l'atmosphère doivent rester entièrement libres, en temps de guerre la Turquie étant neutre, aussi bien qu'en temps de paix.

Le pilotage reste facultatif.

(c) *en temps de guerre, la Turquie étant belligérante:*

Liberté de navigation pour les navires neutres et les aéronefs non militaires neutres, si le navire ou l'aéronef n'assistent pas l'ennemi notamment en transportant de la contrebande, des troupes ou des ressortissants ennemis. La Turquie aura le droit de visiter lesdits navires et aéronefs, et, à cette fin, les aéronefs devront atterrir ou amerrir dans telles zones qui seront fixées et aménagées à cet effet par la Turquie. Il n'est pas porté atteinte aux droits de la Turquie

and of war vessels and aircraft in the Straits in time of peace and in time of war shall henceforth be regulated by the provisions of the attached annex.

ANNEX.

RULES FOR THE PASSAGE OF COMMERCIAL VESSELS AND AIRCRAFT AND OF WAR VESSELS AND AIRCRAFT THROUGH THE STRAITS.

Paragraph 1.—Merchant Vessels, including Hospital Ships, Yachts and Fishing Vessels and Non-Military Aircraft.

(a) *In Time of Peace.*

Complete freedom of navigation and passage by day and by night under any flag and with any kind of cargo, without any formalities, or tax, or charge whatever (subject however to international sanitary provisions), unless for services directly rendered, such as pilotage, light, towage or other similar charges, and without prejudice to the rights exercised in this respect by the services and undertakings now operating under concessions granted by the Turkish Government.

To facilitate the collection of these dues, merchant vessels passing the Straits will communicate to stations appointed by the Turkish Government their name, nationality, tonnage and destination.

Pilotage remains optional.

(b) *In Time of War, Turkey being Neutral.*

Complete freedom of navigation and passage by day and by night under the same conditions as above. The duties and rights of Turkey as a neutral Power cannot authorise her to take any measures liable to interfere with navigation through the Straits, the waters of which, and the air above which, must remain entirely free in time of war, Turkey being neutral, just as in time of peace.

Pilotage remains optional.

(c) *In Time of War, Turkey being a Belligerent.*

Freedom of navigation for neutral vessels and neutral non-military aircraft, if the vessel or aircraft in question does not assist the enemy, particularly by carrying contraband, troops or enemy nationals. Turkey will have the right to visit and search such vessels and aircraft, and for this purpose aircraft are to land on the ground or on the sea in such areas as are specified and prepared for this purpose by Turkey. The rights of Turkey to apply to enemy vessels the mea-

d'appliquer aux navires ennemis les mesures admises par le droit international.

La Turquie aura pleine faculté de prendre telles dispositions qu'elle jugera nécessaire pour empêcher les navires ennemis d'utiliser les Détroits. Toutefois, ces dispositions ne seront pas de nature à interdire le libre passage des navires neutres, et, à cet effet, la Turquie s'engage à fournir à ceux-ci les instructions ou pilotes nécessaires.

Paragraphe 2.—Bâtiments de guerre, y compris les navires auxiliaires, les transports de troupes, les bâtiments porte-avions, et aéronefs militaires.

(a) *en temps de paix:*

Complète liberté de passage de jour et de nuit, quel que soit le pavillon, sans aucune formalité, taxe ou charge quelconques, mais sous les réserves ci-après concernant le total des forces.

La force maxima qu'une Puissance pourra faire passer par les Détroits à destination de la Mer Noire, ne dépassera pas celle de la flotte la plus forte appartenant aux Puissances riveraines de la Mer Noire et existant dans cette mer au moment du passage; toutefois, les Puissances se réservent le droit d'envoyer en Mer Noire en tout temps et en toute circonstance une force n'excédant pas trois bâtiments dont aucun ne dépassera 10,000 tonnes.

Aucune responsabilité n'incombera à la Turquie en ce qui concerne le nombre des bâtiments qui traverseront les Détroits.

Pour permettre l'observation de la présente règle, la Commission des Détroits prévue à l'article 10 demandera à chaque Puissance riveraine de la Mer Noire le 1er Janvier et le 1er Juillet de chaque année le nombre de cuirassés, de croiseurs de bataille, de bâtiments porte-avions, de croiseurs, de destroyers, de sous-marins, ou de tous autres types de bâtiments ainsi que d'aéronefs navals, qu'elle possède en Mer Noire, en distinguant les bâtiments armés des bâtiments à effectifs réduits, en réserve, en réparations ou modification.

La Commission des Détroits informera alors les Puissances intéressées du nombre de cuirassés, croiseurs de bataille, bâtiments porte-avions, croiseurs, destroyers, sous-marins, aéronefs et éventuellement d'unités d'autres types, que comprend la force navale la plus forte dans la Mer Noire: en outre, tout

sures allowed by international law are not affected.

Turkey will have full power to take such measures as she may consider necessary to prevent enemy vessels from using the Straits. These measures, however, are not to be of such a nature as to prevent the free passage of neutral vessels and Turkey agrees to provide such vessels with either the necessary instructions or pilots for the above purpose.

Paragraph 2.—War Vessels, including Fleet Auxiliaries, Troopships, Aircraft Carriers, and Military Aircraft.

(a) *In Time of Peace.*

Complete freedom of passage by day and by night under any flag, without any formalities, or tax, or charge whatever, but subject to the following restrictions as to the total force:—

The maximum force which any one Power may send through the Straits into the Black Sea is not to be greater than that of the most powerful fleet of the littoral Powers of the Black Sea existing in that sea at the time of passage; but with the proviso that the Powers reserve to themselves the right to send into the Black Sea, at all times and under all circumstances, a force of not more than three ships, of which no individual ship shall exceed 10,000 tons.

Turkey has no responsibility in regard to the number of foreign war vessels which pass through the Straits.

In order to enable the above rule to be observed, the Straits Commission provided for in Article 10 will, on the 1st January and the 1st July of each year, enquire of each Black Sea littoral Power the number of each of the following classes of vessel which such Power possesses in the Black Sea: Battleships, battle-cruisers, aircraft-carriers, cruisers, destroyers, submarines, or other types of vessels as well as naval aircraft; distinguishing between the ships which are in active commission and the ships with reduced complements, the ships in reserve and the ships undergoing repairs or alterations.

The Straits Commission will then inform the Powers concerned that the strongest naval force in the Black Sea comprises: Battleships, battle-cruisers, aircraft carriers, cruisers, destroyers, submarines, aircraft and units of other types which may exist. The Straits Commission will also immediately

changement résultant soit de l'entrée en Mer Noire, soit de la sortie de la Mer Noire, d'un bâtiment appartenant à ladite force sera immédiatement porté à la connaissance des Puissances intéressées.

Le nombre et la type des bâtiments armés sera seul pris en considération pour le calcul d'une force navale à faire passer par les Détroits à destination de la Mer Noire.

(b) *en temps de guerre, la Turquie étant neutre:*

Complète liberté de passage de jour et de nuit, quel que soit le pavillon, sans aucune formalité, taxe ou charge quelconques, sous les mêmes limitations que celles prévues au paragraphe 2 (a).

Toutefois, ces limitations ne sont pas applicables aux Puissances belligérantes au préjudice de leurs droits de belligérants en Mer Noire.

Les droits et devoirs de la Turquie comme Puissance neutre ne sauraient l'autoriser à prendre aucune mesure susceptible d'entraver la navigation dans les Détroits, dont les eaux et l'atmosphère doivent rester entièrement libres, en temps de guerre, la Turquie étant neutre, aussi bien qu'en temps de paix.

Il sera interdit aux bâtiments de guerre et aéronefs militaires des belligérants de procéder à aucun capture, d' exercer le droit de visite, et de se livrer à aucun autre acte d'hostilité dans les Détroits.

En ce qui concerne le ravitaillement et les réparations, les bâtiments de guerre seront régis par les dispositions de la Convention XIII de La Haye 1907, concernant la neutralité maritime.

En attendant la conclusion d'une Convention internationale établissant les règles de neutralité pour les aéronefs, les aéronefs militaires jouiront dans les Détroits d'un traitement analogue à celui accordé aux bâtiments de guerre par la Convention XIII de La Haye 1907.

(c) *en temps de guerre, la Turquie étant belligérante:*

Complète liberté de passage pour les bâtiments de guerre neutres sans aucune formalité, taxe ou charge quelconques, mais sous les mêmes limitations que celles prévues au paragraphe 2 (a).

Les mesures à prendre par la Turquie pour empêcher les bâtiments et aéronefs ennemis d'utiliser les Détroits ne seront pas de nature à interdire le libre passage des bâtiments et aéronefs neutres et à cet effet la Turquie s'engage à fournir auxdits bâti

inform the Powers concerned when, owing to the passage into or out of the Black Sea of any ship of the strongest Black Sea force, any alteration in that force has taken place.

The naval force that may be sent through the Straits into the Black Sea will be calculated on the number and type of the ships of war in active commission only.

(b) *In Time of War, Turkey being a Neutral.*

Complete freedom of passage by day and by night under any flag, without any formalities, or tax, or charge whatever, under the same limitations as in paragraph 2 (a).

However, these limitations will not be applicable to any belligerent Power to the prejudice of its belligerent rights in the Black Sea.

The rights and duties of Turkey as a neutral Power cannot authorise her to take any measures liable to interfere with navigation through the Straits, the waters of which, and the air above, which must remain entirely free in time of war, Turkey being neutral, just as in time of peace.

Warships and military aircraft of belligerents will be forbidden to make any capture, to exercise the right of visit and search, or to carry out any other hostile act in the Straits.

As regards re-victualling and carrying out repairs, war vessels will be subject to the terms of the Thirteenth Hague Convention of 1907, dealing with maritime neutrality.

Military aircraft will receive in the Straits similar treatment to that accorded under the Thirtenth Hague Convention of 1907 to war ships, pending the conclusion of an international Convention establishing the rules of neutrality for aircraft.

(c) *In Time of War, Turkey being a Belligerent.*

Complete freedom of passage for neutral warships, without any formalities, or tax, or charge whatever, but under the same limitations as in paragraphs 2 (a).

The measures taken by Turkey to prevent enemy ships and aircraft from using the Straits are not to be of such a nature as to prevent the free passage of neutral ships and aircraft, and Turkey agrees to provide the said ships and aircraft with either the

ments et aéronefs les instructions ou pilotes nécessaires.

Les aéronefs militaires neutres effectueront le passage des Détroits à leurs risques et périls et seront soumis au droit d'enquête quant à leur caractère. A cette fin les aéronefs devront atterrir ou amerrir dans telles zones qui seront fixées et aménagées à cet effet par la Turquie.

Paragraphe 3 (*a*) Les sous-marins des Puissances en état de paix avec la Turquie ne devront traverser les Détroits qu'en surface.

(*b*) Le commandant d'une force navale étrangère venant soit de la Méditerranée, soit de la Mer Noire, communiquera, sans avoir à s'arrêter, à une station de signaux à l'entrée des Dardanelles ou du Bosphore le nombre et le nom des bâtiments sous ses ordres qui doivent entrer dans les Détroits.

La Turquie fera connaître ces stations de signaux, et jusqu'à ce que cette notification soit faite, la liberté de passage dans les Détroits pour les bâtiments de guerre étrangers n'en subsistera pas moins, l'entrée dans les Détroits ne devant pas être retardée.

(*c*) L'autorisation pour les aéronefs militaires et non militaires de survoler les Détroits dans les conditions prévues par les présentes règles implique pour lesdits aéronefs:

(1°) la liberté de survoler une bande de territoire de cinq kilomètres au dessus de chaque côte des parties resserrées des Détroits;

(2°) la faculté, en cas de panne, d'atterrir sur le littoral ou d'amerrir dans les eaux territoriales de la Turquie.

Paragraphe 4.—Limitation de la durée de passage des bâtiments de guerre.

En aucun cas les bâtiments de guerre en transit dans les Détroits ne devront, sauf en cas d'avaries ou de fortune de mer, y séjourner au delà du temps qui leur est nécessaire pour effectuer leur passage, y compris la durée du mouillage pendant la nuit si la sécurité de la navigation l'exige.

Paragraphe 5.—Séjour dans les ports des Détroits et de la Mer Noire.

(*a*) Les paragraphes 1, 2 et 3 de la présente Annexe s'appliquent au passage des navires, bâtiments de guerre et aéronefs au travers et au-dessus des Détroits et ne portent pas atteinte au droit de la Turquie

necessary instructions or pilots for the above purpose.

Neutral military aircraft will make the passage of the Straits at their own risk and peril, and will submit to investigation as to their character. For this purpose aircraft are to land on the ground or on the sea in such areas as are specified and prepared for this purpose by Turkey.

Paragraph 3.

(a) The passage of the Straits by submarines of Powers at peace with Turkey must be made on the surface.

(b) The officer in command of a foreign naval force, whether coming from the Mediterranean or the Black Sea, will communicate, without being compelled to stop, to a signal station at the entrance to the Dardanelles, or Bosphorus, the number and the names of vessels under his orders which are entering the Straits.

These signal stations shall be notified from time to time by Turkey; until such signal stations are notified, the freedom of passage for foreign war vessels in the Straits shall not thereby be prejudiced, nor shall their entry into the Straits be for this reason delayed.

(c) The right of military and non-military aircraft to fly over the Straits under the conditions laid down in the present rules, necessitates for aircraft:

(i) Freedom to fly over a strip of territory of about five kilom. each side of the narrow parts of the Straits.

(ii) Liberty, in the event of a forced landing, to land on the coast or on the sea in the territorial waters of Turkey.

Paragraph 4. — Limitation of Time of Transit for War ships.

In no event shall warships in transit through the Dardanelles, except in the event of damage or peril of the sea, remain therein beyond the time which is necessary for them to effect their passage, including the time of anchorage during the night if rendered necessary for safety of navigation.

Paragraph 5.—Stay in the Ports of the Straits and of the Black Sea.

(a) Paragraphs 1, 2 and 3 of this Annex apply to the passage of vessels, warships and aircraft through and over the Straits and do not affect the right of Turkey to make such regulations as she may consider necessary regarding

d'édicter tels règlements qu'elle jugera nécessaires, en ce qui concerne le nombre des bâtiments de guerre et aéronefs militaires d'une même Puissance, qui pourront visiter simultanément les ports et les aérodromes turcs, ainsi que la durée de leur séjour.

(*b*) Les Puissances riveraines de la Mer Noire auront le même droit en ce qui concerne leurs ports et leurs aérodromes.

(*c*) Les bâtiments légers, que les Puissances actuellement représentées à la Commission européenne du Danube entretiennent comme stationnaires aux embouchures de ce fleuve et jusqu'à Galatz, s'ajouteront à ceux prévus au paragraphe 2 et pourront être remplacés en cas de besoin

Paragraphe 6.—Dispositions spéciales relatives à la protection sanitaire.

Les bâtiments de guerre ayant à bord des cas de peste, de choléra ou de typhus ou en ayant eu depuis 7 jours, ainsi que les bâtiments ayant quitté un port contaminé depuis moins de cinq fois 24 heures, devront passer les Détroits en quarantaine et appliquer par les moyens du bord les mesures prophylactiques nécessaires pour éviter toute possibilité de contamination des Détroits.

Il en sera de même des navires de commerce ayant à bord un médicin et passant en droiture les Détroits sans faire escale ou rompre charge.

Les navires de commerce n'ayant pas de médicin à bord, devront, avant de pénétrer dans les Détroits même s'ils n'y doivent pas faire escale, satisfaire aux prescriptions sanitaires internationales.

Les bâtiments de guerre et les navires de commerce touchant dans un des ports des Détroits, seront soumis dans ce port aux prescriptions sanitaires internationales qui y sont applicables.

Article 3.

En vue de maintenir libres de toute entrave le passage et la navigation dans les Détroits, les mesures stipulées aux articles 4 à 9 seront appliquées à leurs eaux et rives ainsi qu'aux îles qui s'y trouvent ou qui les avoisinent.

Article 4.

Seront démilitarisées les zones et îles désignées ci-après :

(1°) les deux rives du Détroit des Dardanelles et du Détroit du Bosphore sur l'étendue des zones délimitées ci-dessous (voir la carte ci-jointe) :

the number of men-of-war and military aircraft of any one Power which may visit Turkish ports or aerodromes at one time, and the duration of their stay.

(b) Littoral Powers of the Black Sea will also have a similar right as regards their ports and aerodromes.

(c) The light vessels which Powers at present represented on the European Commission of the Danube maintain as *stationnaires* at the mouths of that river as far up as Galatz will be regarded as additional to men-of-war referred to in paragraph 2, and may be replaced in case of need.

Paragraph 6.—Special provisions relating to sanitary protection.

Warships which have on board cases of plague, cholera or typhus, or which have had such cases on board during the last seven days, and warships which have left an infected port since less than five times 24 hours, must pass through the Straits in quarantine and apply by the means on board such prophylactic measures as are necessary to prevent any possibility of the Straits being infected.

The same rule shall apply to merchant ships having a doctor on board and passing straight through the Straits without calling at a port or breaking bulk.

Merchant ships not having a doctor on board shall be obliged to comply with international sanitary rules before entering the Straits, even if they are not to call at a port therein.

Warships and merchant vessels calling at one of the ports in the Straits shall be subject in that port to the international sanitary rules applicable in the port in question.

Article 3.

With a view to maintaining the Straits free from any obstacle to free passage and navigation, the provisions contained in Articles 4 to 9 will be applied to the waters and shores thereof as well as to the islands situated therein, or in the vicinity.

Article 4.

The zones and islands indicated below shall be demilitarised.

1. Both shores of the Straits of the Dardanelles and the Bosphorus over the extent of the zones delimited below (see the attached map).

Dardanelles.

Au Nord Ouest, presqu'île de Gallipoli et région au Sud-Est d'une ligne partant d'un point du golfe de Xeros situé à 4 Km. Nord Est de Bakla Burnu aboutissant sur la Mer de Marmara à Kumbaghi et passant au Sud de Kavak (cette localité exclue).

Au Sud-Est, région comprise entre la côte et une ligne tracée à 20 Km. de la côte, partant du cap Eski-Stamboul en face de Tenedos et aboutissant sur la Mer de Marmara en un point de la côte situé immédiatement au Nord de Karabigha

Bosphore.

Sans préjudice du régime particulier de Constantinople, article 8.

A l'Est, zone s'étendant jusqu'à une ligne tracée à 15 Km. de la côte orientale du Bosphore

A l'Ouest, zone s'étendant jusqu'à une ligne tracée à 15 Km. de la côte occidentale du Bosphore.

(2°) toutes les îles de la Mer de Marmara, sauf l'île d'Emir-Ali Adasi ;

(3°) dans la mer Egée, les îles de Samothrace, Lemnos, Imbros, Tenedos et les îles aux Lapins.

Article 5.

Une Commission, composée de 4 membres respectivement nommés par les Gouvernements de la France, de la Grande-Bretagne, de l'Italie et de la Turquie, se réunira dans les 15 jours après la mise en vigueur de la présente Convention pour fixer sur place les limites des zones prévues à l'article 4 (1°)

Il appartiendra aux Gouvernements représentés dans cette Commission de pourvoir aux indemnités auxquelles pourront avoir droit leurs représentants respectifs.

Tous frais généraux auxquels donnera lieu le fonctionnement de la Commission seront, par parts égales, supportées par les Puissances représentées.

Article 6.

Sous réserve des dispositions de l'article 8 concernant Constantinople, il ne devra y avoir, dans les zones et îles démilitarisées, aucune fortification, aucune installation permanente d'artillerie, d'engins d'action sous-marine autres que les bâtiments sous-marins, ni aucune installation d'aéronautique militaire, ni aucune base navale

Aucune force armée ne devra y stationner en dehors des forces de police et de gendarmerie qui

Dardanelles.

On the north-west, the Gallipoli peninsula and the area south-east of a line traced from a point on the Gulf of Xeros 4 kilometres north-east of Bakla-Burun, reaching the Sea of Marmora at Kumbaghi and passing south of Kavak (this village excluded).

On the south-east, the area included between the coast and a line 20 kilometres from the coast, starting from Cape Eski-Stamboul opposite Tenedos and reaching the Sea of Marmora at a point on the coast immediately north of Karabigha.

Bosphorus (without prejudice to the special provisions relating to Constantinople contained in Article 8)—

On the east, the area extending up to a line 15 kilometres from the eastern shore of the Bosphorus. *On the west*, the area up to a line 15 kilometres from the western shore of the Bosphorus.

2. All the islands in the Sea of Marmora, with the exception of the islands of Emir Ali.

3. In the Ægean Sea, the islands of Samothrace, Lemnos, Imbros, Tenedos and Rabbit Islands.

Article 5.

A Commission composed of four representatives appointed respectively by the Governments of France, Great Britain, Italy and Turkey shall meet within 15 days of the coming into force of the present Convention to determine on the spot the boundaries of the zone laid down in Article 4 (paragraph 1).

The Governments represented on that Commission will pay the salaries of their respective representatives.

Any general expenses incurred by the Commission shall be borne in equal shares by the Powers represented thereon.

Article 6.

Subject to the provisions of Article 8 concerning Constantinople, there shall exist, in the demilitarised zones and islands, no fortifications, no permanent artillery organisation, no submarine engines of war, other than submarine vessels, no military aerial organisation, and no naval base.

No armed forces shall be stationed in the demilitarised zones and islands except the

sont nécessaires au maintien de l'ordre, et dont l'armement ne comportera que le revolver, le sabre, le fusil et quatre fusils mitrailleurs par cent hommes à l'exclusion de toute artillerie.

Dans les eaux territoriales des zones et îles démilitarisées, il ne devra y avoir aucun engin d'action sous-marine, autre que des bâtiments sous-marins.

Nonobstant les alinéas qui précèdent, la Turquie gardera le droit de faire passer en transit ses forces armées dans les zones et îles démilitarisées du territoire turc, ainsi que dans leurs eaux territoriales où la flotte turque aura le droit de mouiller.

En outre, en ce qui concerne les Détroits, le Gouvernement turc aura la faculté de faire observer au moyen d'avions ou de ballons, la surface et le fond de la mer. Les aéronefs turcs pourront toujours survoler les eaux des Détroits et les zones démilitarisées du territoire turc et y atterrir ou amerrir partout en toute liberté.

La Turquie et la Grèce pourront également, dans les zones et îles démilitarisées et dans leurs eaux territoriales, effectuer les mouvements de personnel nécessités par l'instruction, hors de ces zones et îles, des hommes qui y seront recrutés.

La Turquie et la Grèce auront la liberté d'organiser dans lesdites zones et îles de leurs territoires respectifs, tout système d'observation et de communications télégraphiques, téléphoniques et optiques. La Grèce pourra faire passer sa flotte dans les eaux territoriales des îles grecques démilitarisées, mais ne pourra user de ces eaux comme base d'opérations contre la Turquie ou pour une concentration navale ou militaire dans ce but.

Article 7.

Aucun engin d'action sous marine, autre que les bâtiments sous-marins, ne pourra être installé dans les eaux de la Mer de Marmara.

Le Gouvernement turc n'installera ni dans la région côtière européenne de la Mer de Marmara, ni dans la partie de la région côtière d'Anatolie située à l'Est de la zone démilitarisée du Bosphore, jusqu'à Darije, aucune batterie permanente de canons ou de lance-torpilles, susceptible d'entraver le passage des Détroits.

Article 8.

A Constantinople, y compris ici Stamboul, Péra, Galata, Scutari, police and gendarmerie forces necessary for the maintenance of order; the armament of the forces will be composed only of revolvers, swords, rifles and four Lewis guns per hundred men, and will exclude any artillery.

In the territorial waters of the demilitarised zones and islands, there shall exist no submarine engines of war other than submarine vessels.

Notwithstanding the preceding paragraphs Turkey will retain the right to transport her armed forces through the demilitarised zones and islands of Turkish territory, as well as through their territorial waters, where the Turkish fleet will have the right to anchor.

Moreover, in so far as the Straits are concerned, the Turkish Government shall have the right to observe by means of aeroplanes or balloons both the surface and the bottom of the sea. Turkish aeroplanes will always be able to fly over the waters of the Straits and the demilitarised zones of Turkish territory, and will have full freedom to alight therein either on land or on sea.

In the demilitarised zones and islands and in their territorial waters, Turkey and Greece shall similarly be entitled to effect such movements of personnel as are rendered necessary for the instruction outside those zones and islands of the men recruited therein.

Turkey and Greece shall have the right to organise in the said zones and islands in their respective territories any system of observation and communication, both telegraphic, telephonic and visual. Greece shall be entitled to send her fleet into the territorial waters of the demilitarised Greek islands, but may not use these waters as a base of operations against Turkey nor for any military or naval concentration for this purpose.

Article 7.

No submarine engines of war other than submarine vessels shall be installed in the waters of the Sea of Marmora.

The Turkish Government shall not instal any permanent battery or torpedo tubes, capable of interfering with the passage of the Straits, in the coastal zone of the European shore of the Sea of Marmora or in the coastal zone on the Anatolian shore situated to the east of the demilitarised zone of the Bosphorus as far as Darije.

Article 8.

At Constantinople, including for this purpose Stamboul, Pera,

ainsi que les îles des Princes, et dans ses environs immédiats, une garnison de 12.000 hommes au maximum pourra être stationnée pour les besoins de la capitale. Un arsenal et une base navale pourront être maintenus à Constantinople.

Article 9.

Si, en cas de guerre, la Turquie ou la Grèce, usant de leur droit de Puissances belligérantes, étaient amenées à apporter des modifications à l'état de démilitarisation prévu ci-dessus, elles seraient tenues de rétablir, dès la conclusion de la paix, le régime prévu par la présente Convention.

Article 10.

Il sera institué à Constantinople une Commission internationale composée comme il est dit à l'article 12, qui prendra le titre de "Commission des Détroits."

Article 11.

La Commission exercera ses attributions sur les eaux des Détroits.

Article 12.

La Commission sera composée, sous la présidence d'un Représentant de la Turquie, de Représentants de la France, de la Grande-Bretagne, de l'Italie, du Japon, de la Bulgarie, de la Grèce, de la Roumanie, de l'Etat Serbe-Croate-Slovène et de la Russie, en tant que Puissances signataires de la présente Convention.

L'adhésion à la présente Convention comportera pour les Etats Unis le droit d'avoir également un Représentant dans la Commission.

Le même droit sera réservé dans les mêmes conditions aux Etats indépendants riverains de la Mer Noire, non mentionnés dans le premier alinéa du présent article.

Article 13.

Il appartiendra aux Gouvernements représentés à la Commission de pourvoir aux indemnités auxquelles pourront avoir droit leurs Représentants. Toutes dépenses supplementaires de la Commission seront supportées par lesdits Gouvernements dans la proportion fixée pour la répartition des frais de la Société des Nations.

Article 14.

La Commission sera chargée de s'assurer que sont dûment observées les dispositions concernant le passage des bâtiments de guerre et aéronefs militaires.

Galata, Scutari, as well as Princes' Islands, and in the immediate neighbourhood of Constantinople, there may be maintained for the requirements of the Capital, a garrison with a maximum strength of 12,000 men. An arsenal and naval base may also be maintained at Constantinople.

Article 9.

If, in case of war, Turkey, or Greece, in pursuance of their belligerent rights, should modify in any way the provisions of demilitarization prescribed above, they will be bound to re-establish as soon as peace is concluded the régime laid down in this Convention.

Article 10.

There shall be constituted at Constantinople an International Commission composed in accordance with Article 12 and called the "Straits Commission."

Article 11.

The Commission will exercise its functions over the waters of the Straits.

Article 12.

The Commission shall be composed of a representative of Turkey, who shall be President, and representatives of France, Great Britain, Italy, Japan, Bulgaria, Greece, Roumania, the Serb-Croat-Slovene State, and of Russia, as being signatory powers of the present Convention.

The United States of America, in the event of their adhering to the present Convention, will also be entitled to have one representative on the Commission.

Under the same conditions the independent littoral States of the Black Sea, which are not mentioned in the first paragraph of the present article, will possess the same right.

Article 13.

The Governments represented on the Commission will pay the salaries of their representatives. Any incidental expenditure incurred by the Commission will be borne by the said Governments in the proportion laid down for the division of the expenses of the League of Nations.

Article 14.

It will be the duty of the Commission to see that the provisions relating to the passage of warships and military aircraft are carried out; these provisions are

dispositions faisant l'objet des paragraphes 2, 3 et 4 de l'annexe jointe à l'article 2.

Article 15.

La Commission des Détroits exercera sa mission sous les auspices de la Société des Nations à laquelle elle adressera chaque année un rapport rendant compte de l'accomplissement de sa mission et fournissant, par ailleurs, tous renseignements utiles au point de vue du commerce et de la navigation ; à cet effet, la Commission se mettra en relations avec les services du Gouvernement turc s'occupant de la navigation dans les Détroits.

Article 16.

Il appartiendra à la Commission d'élaborer les règlements qui seraient nécessaires à l'accomplissement de sa mission.

Article 17.

Les dispositions de la présente Convention ne portent pas atteinte au droit de la Turquie de faire circuler librement sa flotte dans les eaux turques.

Article 18.

Désireuses que la démilitarisation des Détroits et des zones avoisinantes ne devienne pas, au point de vue militaire, une cause de danger injustifié pour la Turquie et que des actes de guerre ne viennent pas mettre en péril la liberté des Détroits ou la sécurité des zones démilitarisées, les Hautes Parties Contractantes conviennent des dispositions suivantes :

Si une violation des dispositions sur la liberté de passage, une attaque inopinée, ou quelque acte de guerre ou menace de guerre venaient à mettre en péril la liberté de la navigation des Détroits ou la sécurité des zones démilitarisées, les Hautes Parties Contractantes et dans tous les cas la France, la Grande Bretagne, l'Italie et le Japon les empêcheront conjointement par tous les moyens que le Conseil de la Société des Nations décidera à cet effet.

Dès que les actes ayant motivé l'action prévue par l'alinéa qui précède auront pris fin, le statut des Détroits tel qu'il est réglé par les dispositions de la présente Convention sera de nouveau strictement appliqué.

La présente disposition, qui constitue une partie intégrante de celles qui sont relatives à la démilitarisation et à la liberté des Détroits, ne porte pas atteinte aux droits et obligations que les

laid down in paragraphs 2, 3 and 4 of the Annex attached to Article 2.

Article 15.

The Straits Commission will carry out its functions under the auspices of the League of Nations and will address to the League an annual report giving an account of its activities, and furnishing all information which may be useful in the interests of commerce and navigation; with this object in view the Commission will place itself in touch with the departments of the Turkish Government dealing with navigation through the Straits.

Article 16.

It will be the duty of the Commission to prescribe such regulations as may be necessary for the accomplishment of its task.

Article 17.

The terms of the present Convention will not infringe the right of Turkey to move her fleet freely in Turkish waters.

Article 18.

The High Contracting Parties, desiring to secure that the demilitarization of the Straits and of the contiguous zones shall not constitute an unjustifiable danger to the military security of Turkey and that no act of war should imperil the freedom of the Straits or the safety of the demilitarized zones, agree as follows:

Should the freedom of navigation of the Straits or the security of the demilitarized zones be imperilled by a violation of the provisions relating to freedom of passage, or by a surprise attack or some act of war or threat of war, the High Contracting Parties and in any case France, Great Britain, Italy and Japan, acting in conjunction will meet this violation, attack, or other act of war or threat of war, by all the means that the Council of the League of Nations may decide for this purpose.

So soon as the circumstance which may have necessitated the action provided for in the preceding paragraph shall have ended, the régime of the Straits as laid down by the terms of the present Convention shall again be strictly applied.

The present provision, which forms an integral part of those relating to the demilitarization and to the freedom of the Straits, does not prejudice the rights and obligations of the High Contract-

Hautes Parties Contractantes peuvent avoir en vertu du Pacte de la Société des Nations.

Article 19.

Les Hautes Parties Contractantes feront tous leurs efforts pour amener les Puissances non signataires à adhérer à la présente Convention.

Cette adhésion sera signifiée, par la voie diplomatique, au Gouvernement de la République française et par celui-ci à tous les Etats signataires ou adhérents. Elle portera effet à dater du jour de la signification au Gouvernement français.

Article 20.

La présente Convention sera ratifiée.

Les ratifications en seront déposées à Paris aussitôt que faire se pourra.

Elle entrera en vigueur dans les mêmes conditions que le Traité de Paix en date de ce jour : pour les Puissances non signataires de ce Traité, qui à ce moment n'auraient pas encore ratifié la présente Convention, celle-ci entrera en vigueur au fur et à mesure du dépôt de leurs ratifications, qui sera notifié aux autres Puissances contractantes par le Gouvernement de la République française.

En foi de quoi les Plénipotentiaires susnommés ont signé la présente Convention.

Fait à Lausanne, le ..... 192 , en un seul exemplaire qui sera déposé dans les archives du Gouvernement de la République française, lequel en remettra une expédition authentique à chacune des Puissances signataires.

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(Signatures et cachets.)

ing Parties under the Covenant of the League of Nations.

Article 19.

The High Contracting Parties will use every possible endeavour to induce non-signatory Powers to adhere to the present Convention.

This adherence will be notified through the diplomatic channel to the Government of the French Republic, and by that Government to all signatory or adhering States. The adherence will take effect as from date of notification to the French Government.

Article 20.

The present Convention shall be ratified. The ratifications shall be deposited at Paris as soon as possible.

The Convention will come into force in the same way as the Treaty of Peace of even date.

In so far as concerns those Powers who are not signatories of this Treaty and who at that date shall not yet have ratified the present Convention, this Convention will come into force as from the date on which they deposit their respective ratifications, which deposit shall be notified to the other Contracting Powers by the French Government.

In faith whereof the abovenamed Plenipotentiaries have signed the present Convention.

Done at Lausanne the day of 192 in a single copy which will remain deposited in the archives of the Government of the French Republic, and of which authenticated copies will be transmitted to each of the signatory Powers.

(Signatures and Seals.)

Document No III. of Final Act.

PROJET DE CONVENTION CONCERNANT LES FRONTIÈRES DE THRACE.

L'EMPIRE BRITANNIQUE, la FRANCE, L'ITALIE, le JAPON, la BULGARIE, la GRÈCE, la ROUMANIE, l'ETAT SERBE CROATE-SLOVÈNE, et la TURQUIE, soucieux d'assurer le maintien de la paix sur les frontières de Thrace,

Le estimant nécessaire à cette fin que certaines dispositions spéciales réciproques soient prises de part et d'autre de ces frontières, ainsi qu'il est prévu par l'article 22 du Traité de paix signé en date de ce jour,

DRAFT CONVENTION RESPECTING THE FRONTIERS OF THRACE.

The British Empire, France, Italy, Japan, Bulgaria, Greece, Roumania, the Serb-Croat-Slovene State, and Turkey, being desirous of ensuring the maintenance of peace on the frontiers of Thrace,

And considering necessary for this purpose that certain special reciprocal measures should be taken on both sides of this frontier, as provided in Article 22 of the Treaty of Peace of even date,

Ont décidé de conclure une Convention à cet effet et ont désigné pour leurs Plénipotentiaires, savoir,

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Lesquels, après avoir exhibé leurs pleins pouvoirs reconnus en bonne et due forme, ont convenu des dispositions suivantes:

Article 1.

Depuis la Mer Egée jusqu'à la Mer Noire, les territoires s'étendant de part et d'autre des frontières séparant la Turquie de la Bulgarie et de la Grèce, seront démilitarisés sur une largeur d'environ trente kilomètres, comprise dans les limites ci-après (voir la carte ci-jointe):

(1°) *en territoire turc*, de la Mer Egée à la Mer Noire:

une ligne sensiblement parallèle à la frontière de la Turquie, avec la Grèce et avec la Bulgarie, définie à l'article 2, paragraphes (1°) et (2°) du Traité de Paix signé en date de ce jour. Cette ligne sera tracée à une distance minimum de 30 Km. de cette frontière, sauf dans la région de Kirk-Kilissa où elle devra laisser en dehors de la zone démilitarisée la ville elle-même et un périmètre de 5 Km. au minimum compté à partir du centre de cette ville. Elle partira du Cap Ibrije-Burnu, sur la Mer Egée, pour aboutir, sur la Mer Noire, au Cap Serbes Burnu.

(2°) *en territoire grec*, de la Mer Egée à la frontière gréco-bulgare:

une ligne partant de la pointe du Cap Makri (le village de Makri exclu) suivant vers le Nord un tracé sensiblement parallèle au cours de la Maritza jusqu'à hauteur de Tahtali, puis gagnant par l'Est de Mehercoz un point à déterminer sur la frontière gréco-bulgare, à 15 Km. environ à l'Ouest de Kuchuk Derbend;

(3°) *en territoire bulgare*, de la frontière gréco-bulgare à la Mer Noire:

une ligne partant du point ci-dessus défini, coupant la route d'Andrinople à Kossukavak, à 5 Km. à l'Ouest de Papas Keui, puis tracée à 30 Km. au minimum de la frontière gréco-bulgare et de la frontière turco-bulgare, sauf dans la région d'Harmanli où elle devra laisser en dehors de la zone démilitarisée la ville elle-même et un périmètre de 5 Km. au minimum compté à partir du centre de cette ville, pour aboutir sur la Mer Noire au fond de la baie située au Nord-Ouest d'Anderler.

Have decided to conclude a Convention for this purpose and have appointed as their Plenipotentiaries

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who, having produced their Full Powers in good and due form, have agreed as follows:—

Article 1.

From the Ægean Sea to the Black Sea the territories extending on both sides of the frontiers separating Turkey from Bulgaria and from Greece shall be demilitarised to a depth of about 30 kilometres within the following limits (*see* the attached map).

(1) *In Turkish territory*, from the Ægean Sea to the Black Sea:

a line generally parallel to the frontier of Turkey with Greece and Bulgaria defined in Article 2, paragraphs 1 and 2, of the Treaty of Peace of even date. This line shall be traced at a minimum distance of 30 kilometres from that frontier, except in the neighbourhood of Kirk Kilisse, where the town itself and an area within a radius of at least 5 kilometres from the centre of the town shall be excluded from the demilitarised zone. The line will run from Ibrije-Burnu, on the Ægean Sea, to Serbes-Burnu on the Black Sea;

(2) *in Greek territory*, from the Ægean Sea to the Greco-Bulgarian frontier:

a line starting from Cape Makri (the village of Makri being excluded), thence northwards generally parallel to the course of the Maritza as far as Tahtali, then passing eastwards of Mehercoz to a point to be determined on the Greco-Bulgarian frontier about 15 kilometres to the west of Kuchuk Derbend;

(3) *in Bulgarian territory*, from the Greco-Bulgarian frontier to the Black Sea:

a line running from the point defined above, crossing the road from Adrianople to Kossukavak, at a point 5 kilometres to the west of Papas Keui, thence running at a distance of at least 30 kilometres from the Greco-Bulgarian frontier and from the Turco-Bulgarian frontier, except in the neighbourhood of Harmanli, where the town itself and an area within a radius of at least 5 kilometres from the centre of the town shall be excluded from the demilitarised zone; the line shall reach the Black Sea at the head of the bay situated to the north-west of Anderler.

Article 2.

Une Commission de délimitation, qui sera constituée dans les 15 jours qui suivront la mise en vigueur de la présente Convention, sera chargée de déterminer et de tracer sur le terrain les limites définies à l'article 1er. Cette Commission sera composée de représentants désignés par la France, la Grande-Bretagne, l'Italie, la Bulgarie, la Grèce et la Turquie, à raison d'un représentant par Puissance. Les représentants bulgare, grec et turc ne prendront part qu'aux opérations concernant respectivement le territoire de la Bulgarie, de la Grèce et de la Turquie; toutefois, le travail d'ensemble résultant de ces opérations sera arrêté et enregistré en commission plénière.

Article 2.

A Boundary Commission, which shall be set up within 15 days from the coming into force of the present Convention, shall be entrusted to settle and to trace on the spot the boundaries defined in Article 1. This Commission shall be composed of representatives appointed by France, Great Britain, Italy, Bulgaria, Greece and Turkey, each Power having one representative. The Bulgarian, Greek and Turkish representatives shall only take part in the work concerning the territory of Bulgaria, Greece and Turkey respectively; however, the combined result of these operations shall be drawn up and registered at a plenary meeting of the Commission.

Article 3.

La démilitarisation des zones définies à l'article 1er sera effectuée et maintenue conformément aux dispositions ci-après:

(1°) tous les ouvrages de fortification permanente ou de campagne actuellement existants devront être désarmés et démantelés par les soins de la Puissance sur le territoire de laquelle ils se trouvent. Il ne sera construit aucun nouvel ouvrage de ce genre, ni organisé aucun dépôt d'armes ou de matériel de guerre non plus qu'aucune autre installation offensive ou défensive d'ordre militaire, naval ou aéronautique.

(2°) Il ne devra stationner ou se mouvoir aucune force armée en dehors des éléments spéciaux, tels que gendarmerie, forces de police, douaniers, garde-frontières, nécessaires pour assurer l'ordre intérieur et la surveillance des frontières.

L'effectif de ces éléments spéciaux, qui ne devront comprendre aucune aviation, ne dépassera pas, savoir:

(*a*) dans la zone démilitarisée du territoire turc 5,000 hommes au total;

(*b*) dans la zone démilitarisée du territoire grec 2,500 hommes au total;

(*c*) dans la zone démilitarisée du territoire bulgare 2,500 hommes au total.

Leur armement ne comportera que le revolver, le sabre, le fusil et 4 fusils mitrailleurs par 100 hommes, à l'exclusion de toute artillerie.

Ces dispositions ne porteront pas atteinte aux obligations incombant à la Bulgarie en vertu du Traité de Neuilly du 27 Novembre 1919.

Article 3.

The demilitarisation of the zones defined in Article 1 shall be effected and maintained in accordance with the following provisions:

(1) All permanent fortifications and field works actually in existence shall be disarmed and dismantled by the Power on whose territory they are situated. No new fortification or work of this nature shall be constructed, and no depôt of arms or of war material, or any other offensive or defensive installation of either a military, naval or aeronautical character shall be organised.

(2) No armed force, other than the special elements, such as gendarmerie, police, customs officers, frontier guards, necessary for ensuring internal order and the supervision of the frontiers, shall be stationed or move in the zones.

The number of these special elements, which must not include any air force, shall not exceed:

(*a*) in the demilitarised zone of Turkish territory a total of 5,000 men;

(*b*) in the demilitarised zone of Greek territory a total of 2,500 men;

(*c*) in the demilitarised zone of Bulgarian territory a total of 2,500 men.

Their armament shall be composed only of revolvers, swords, rifles and four Lewis guns per 100 men, and will exclude any artillery.

These provisions shall not affect the obligations incurred by Bulgaria under the Treaty of Neuilly of November 27th, 1919.

3°. Le survol de la zone démilitarisée par des avions militaires ou navals de quelque pavillon que ce soit, est interdit.

Article 4.

Le Gouvernement turc s'engage à limiter les forces armées turques stationnées en temps de paix sur son territoire européen, à un effectif total de 20,000 hommes y compris l'effectif de 12,000 hommes fixé pour la garnison de Constantinople par l'article 8 de la Convention sur le régime des Détroits signée en date de ce jour.

Les effectifs des éléments spéciaux tels que gendarmerie, forces de police, douaniers, gardes-frontières, nécessaires pour assurer l'ordre intérieur et la surveillance des frontières ne seront pas compris dans le total de 20,000 hommes ci-dessus stipulé.

Article 5.

Au cas où l'une des Puissances limitrophes dont le territoire est visé dans la présente Convention, aurait quelque réclamation à formuler concernant l'observation des présentes dispositions, cette réclamation devrait être portée par elle devant le Conseil de la Société des Nations.

Article 6.

La présente Convention sera ratifiée.

Les ratifications en seront déposées à Paris aussitôt que faire se pourra.

Elle entrera en vigueur dès que la Bulgarie, la Grèce et la Turquie l'auront respectivement ratifiée. Un procès-verbal spécial constatera ces ratifications. En ce qui concerne les autres Puissances qui ne l'auraient pas déjà ratifiée à ce moment, elle entrera en vigueur au fur et à mesure du dépôt de leurs ratifications, qui sera notifiée aux autres Puissances contractantes par le Gouvernement de la République française.

Le Gouvernement japonais aura la faculté de se borner à faire connaître au Gouvernement de la République française par son représentant diplomatique à Paris que la ratification a été donnée et, dans ce cas, il devra en transmettre l'instrument aussitôt que faire se pourra.

En foi de quoi les Plénipotentiaires susnommés ont signé la présente Convention.

Fait à Lausanne le .....192 , en un seul exemplaire qui sera déposé dans les archives du Gouvernement de la République française, lequel en remettra une expédition authentique à chacune des Puissances signataires.

(3) Military or naval aircraft of any flag whatsoever are forbidden to fly over the demilitarised zone.

Article 4.

The Turkish Government undertakes to limit the armed Turkish forces stationed in peace time on their European territory to a total force of 20,000 men, including the force of 12,000 men laid down for the garrison of Constantinople in accordance with Article 8 of the Straits Convention of even date.

The force of special elements, such as gendarmerie, police, customs officers, frontier guards, necessary for ensuring internal order and the supervision of the frontiers shall not be included in the total of 20,000 men provided for above.

Article 5.

In the event of one of the bordering Powers whose territory forms the subject of the present Convention having any complaint to make respecting the observance of the present provisions, this complaint shall be brought by that Power before the Council of the League of Nations.

Article 6

The present Convention shall be ratified.

The ratifications shall be deposited at Paris as soon as possible.

The Convention shall come into force as soon as Bulgaria, Greece and Turkey shall respectively have ratified it.

These ratifications shall be recorded in a special *procès-verbal*. In so far as concerns the other Powers which have not at that date ratified the Convention, it shall come into force as from the date on which they deposit their respective ratifications, which deposit shall be notified to the other Contracting Powers by the Government of the French Republic.

The Japanese Government shall be entitled merely to inform the Government of the French Republic, through their diplomatic representative in Paris, that ratification has been given, and in that event the Japanese Government shall forward the instrument of ratification as soon as possible.

IN FAITH WHEREOF the above-mentioned Plenipotentiaries have signed the present Convention.

DONE at Lausanne the . . . . . 192 . in a single copy which shall be deposited in the archives of the Government of the French Republic, which will transmit a ratified copy thereof to each of the Signatory Powers.

(signatures et cachets)

(Signatures and Seals.)

Document No. IV. of Final Act.

PROJET DE CONVENTION RELATIVE AU RÉGIME DES ÉTRANGERS EN TURQUIE.

L'EMPIRE BRITANNIQUE, la FRANCE, l'ITALIE, le JAPON, la GRÈCE, la ROUMANIE, l'ÉTAT SERBE-CROATE-SLOVÈNE, d'une part,

Et la TURQUIE, d'autre part,

Désireux de fixer conformément au droit des gens moderne le régime des étrangers en Turquie dans des conditions conformes tout à la fois à la souveraineté turque et à la légitime protection de leurs droits,

Ont décidé de conclure une Convention à cet effet et ont désigné pour leurs Plénipotentiaires respectifs, savoir :

. . . . . .

Lesquels, après avoir exhibé leurs pleins pouvoirs trouvés en bonne et due forme, sont convenus des dispositions suivantes.

Article 1.

A dater de la mise en vigueur de la présente Convention, les Capitulations concernant le régime des Etrangers en Turquie, tant au point de vue des conditions d'accès et de séjour qu'au point de vue fiscal et judiciaire, sont abrogées entre la Turquie et les autres Puissances contractantes.

CHAPITRE I.

CONDITIONS D'ACCÈS ET DE SÉJOUR.

Article 2.

Sur tout le territoire de la Turquie les ressortissants des autres Puissances contractantes seront reçus et traités relativement à leurs personnes et à leurs biens conformément au droit commun international. Ils y jouiront de la plus entière et constante protection pour leurs personnes, leurs biens, droits et intérêts. Ils y auront entière liberté d'accès et d'établissement, et pourront, en conséquence, aller, venir et séjourner

DRAFT CONVENTION RESPECTING THE RÉGIME APPLICABLE TO FOREIGNERS IN TURKEY.

The British Empire, France, Italy, Japan, Greece, Roumania and the Serb-Croat-Slovene State, of the one part,

And Turkey, of the other part,

Being desirous of settling, in accordance with modern international law, the régime applicable to foreigners in Turkey under conditions consistent both with the sovereignty of Turkey and with the legitimate protection of their rights,

Have decided to conclude a Convention to this effect, and have appointed as their Plenipotentiaries :

. . . . . .

Who, having produced their Full Powers, found in good and due form, have agreed as follows :—

Article 1.

As from the coming into force of the present Convention, the Capitulations respecting the régime applicable to foreigners in Turkey, both as regards conditions of entry and of residence and in relation to fiscal and judicial matters, are abolished between Turkey and the other Contracting Powers.

CHAPTER I.

CONDITIONS OF ENTRY AND RESIDENCE.

Article 2.

In the whole of Turkey the nationals of the other Contracting Powers will be received and treated, both as regards their persons and property, in accordance with ordinary international law. They will enjoy in Turkey complete and constant protection for their persons, their property, rights and interests. They will have complete freedom to enter and establish themselves in Turkey, and may accordingly come, go and reside there, com-

en Turquie, en se conformant aux lois et règlements de police, et sans être soumis de ce chef à aucune restriction quelconque, à laquelle ne seraient pas soumis les ressortissants turcs.

Article 3.

Le Gouvernement turc pourra exiger des ressortissants des autres Puissances contractantes la présentation d'un passeport à l'entrée en Turquie. Pour prendre domicile ou former un établissement en Turquie, les ressortissants desdites Puissances devront être munis d'un certificat ou d'un acte d'immatriculation constatant leur nationalité, qui leur seront délivrés par leurs ambassades, légations, consulats ou vice-consulats respectifs institués en Turquie.

Article 4.

En Turquie, les ressortissants des autres Puissances contractantes auront le droit d'acquérir, de posséder et d'aliéner toute sorte de biens mobiliers et immobiliers; ils pourront en disposer notamment par vente, échange, donation, dispositions testamentaires ou de toute autre manière, ainsi qu'entrer en possession par voie de succession en vertu de la loi ou par suite de dispositions entre vifs ou testamentaires.

Ils pourront exercer en Turquie tous genres de commerce, de profession, d'industrie et d'exploitation permis aux nationaux, ainsi que tout métier qu'un long usage n'aurait pas réservé aux seuls ressortissants turcs. En ce qui concerne les professions pour lesquelles des diplômes sont exigés en Turquie, le Gouvernement turc déclare dès à présent reconnaître comme équivalents aux diplômes turcs les diplômes délivrés par les autorités compétentes de l'Empire britannique, de la France, de l'Italie et du Japon et se réserve de conclure sur ce sujet des accords particuliers avec les autres Puissances.

Ils ne seront soumis en aucun de ces cas, à des restrictions quelconques, auxquelles ne seraient pas soumis les ressortissants turcs.

Article 5.

Les sociétés commerciales, industrielles ou financières, y compris les sociétés de transport ou d'assurance et en général toutes les personnes morales régulièrement constituées hors de la Turquie et sur le territoire de l'une ou l'autre des autres Puissances contractantes ou qui y sont légalement reconnues, pourront, là aussi, sans égards en Turquie des mêmes droits que les ressortissants desdites Puissances. En tout ce qui concerne leur constitution, leur capacité juridique et le droit d'ester en justice, elles seront traitées d'après leur loi nationale, tout en restant soumises, quant à leurs opérations elles-mêmes en Turquie, aux prescriptions d'ordre public et de police qui y sont en vigueur; elles jouiront, à cet égard, dans tous les cas, des mêmes droits que toute autre société semblable turque ou étrangère.

Article 6.

En Turquie, les ressortissants des autres Puissances contractantes ne seront pas soumis aux lois militaires. Ils seront exempts de tout service et de toute obligation ou charge remplaçant le service militaire.

Ils ne pourront être expropriés de leurs biens ou privés même temporairement de la jouissance de leurs biens, que pour cause légalement reconnue d'utilité publique et moyennant une juste et préalable indemnité. Aucune expropriation ne pourra avoir lieu sans publicité préalable.

Article 7.

La Turquie se réserve le droit d'expulser, par mesures individuelles, soit à la suite d'une sentence légale, soit d'après les lois ou règlements sur la police des mœurs, sur la police sanitaire ou sur la mendicité, soit pour des motifs de sûreté intérieure ou extérieure de l'Etat, les ressortissants des autres Puissances contractantes, lesquelles s'engagent à les recevoir en tout temps, eux et leur famille.

Le transport des individus expulsés jusqu'au lieu de destination sera effectué par les soins et à la charge du Gouvernement turc, dans des conditions conformes à l'hygiène et à l'humanité.

Article 8.

Tout avantage que la Turquie aurait concédé ou pourrait concéder à l'avenir, d'une manière quelconque, à une autre Puissance, en ce qui concerne l'établissement des citoyens et l'exercice des professions, du commerce ou de l'industrie, sera applicable de la même manière, à la même époque et sans autres conditions aux autres Puissances contractantes, sans qu'il soit nécessaire de faire une convention spéciale à cet effet.

Article 9.

Réciproquement, les conditions d'accès, de séjour et d'établisse-

plying with the law and police regulations, and they shall not be subjected in this connection to any restriction whatever to which Turkish nationals are not subject.

Article 3.

The Turkish Government may require the nationals of the other Contracting Powers to produce a passport on entering Turkey. Before settling themselves or setting up an establishment in Turkey, nationals of the said Powers must be furnished with a registration certificate or similar document proving their nationality, which will be delivered to them by their respective Embassies, Legations, Consulates or Vice-Consulates in Turkey.

Article 4.

In Turkey the nationals of the other Contracting Powers will have the right to acquire, to possess and to dispose of all kinds of property both movable and immovable; they will in particular be able to dispose thereof by sale, exchange, gift, testamentary disposition, or in any other way, and to take possession by inheritance in accordance with the law, or under dispositions *inter vivos* or by will.

They may engage in Turkey in all forms of commerce, professions, industry and enterprise which are open to Turkish nationals, and in all occupations which are not reserved to Turkish nationals by established usage. As regards professions for the exercise of which in Turkey diplomas are required, the Turkish Government hereby recognises the diplomas granted by the competent authorities of the British Empire, France, Italy and Japan as equivalent to Turkish diplomas, and reserves the right to conclude separate agreements on this subject with the other Powers.

The nationals of the other Contracting Powers shall not be subjected in any of these matters to any restrictions to which Turkish nationals are not subject.

Article 5.

Commercial, industrial and financial corporations, including transport and insurance corporations, and in general all juridical persons which are regularly incorporated outside Turkey and in the territory of any one of the other Contracting Powers, or which are recognised by law in such territory, will enjoy in all respects in Turkey the same rights as nationals of the said

Powers. In all matters relating to their constitution, their legal capacity and their right to sue and be sued, they will be treated in accordance with their national law, while remaining subject, so far as concerns their actual operations in Turkey, to the regulations in force relating to public order and police matters: in this respect they will enjoy in all cases the same rights as any other similar corporation, whether Turkish or foreign.

Article 6.

In Turkey the nationals of the other Contracting Powers will not be subject to the laws relating to military service. They will be exempt from such service and from any obligation or payment which replaces such service.

Their property may not be expropriated, or the use of it denied to them even temporarily, except for reasons of public interest recognised by law as such, and in return for fair compensation to be paid in advance. No expropriation may take place without public notice being previously given.

Article 7.

Turkey reserves the right to expel, in individual cases, nationals of the other Contracting Powers either under the order of a Court or in accordance with the laws and regulations relating to public morality, public health or pauperism, or for reasons affecting the internal or external safety of the State. The other Contracting Powers agree to receive persons thus expelled, and their families, at any time.

The transportation of such persons to the point of destination shall be effected by and at the expense of the Turkish Government, and in conditions complying with the requirements of health and humane treatment.

Article 8.

Any privilege relating to the conditions of residence of foreigners, or the exercise by them of professions, commerce or industry, which Turkey may have granted or may grant in future in any manner to another Power, shall be applied in the same manner, at the same time, and without any different conditions being demanded, to the other Contracting Powers, without a separate agreement to that effect being inserted.

Article 9.

Reciprocally, the conditions in which Turkish nationals may

ment des ressortissants turcs sur le territoire de chacune des autres Puissances contractantes, seront l'objet de conventions particulières que lesdites Puissances se déclarent dès à présent disposées à conclure avec la Turquie.

CHAPITRE II.

Clauses Fiscales

Article 10.

Pour séjourner et s'établir sur le territoire turc, comme pour l'exercice de tout genre de commerce, profession, industrie, exploitation ou activité de quelque nature que ce soit en Turquie, permis aux termes de l'article 4 aux ressortissants des autres Puissances contractantes, ceux-ci ne seront soumis à aucun impôt, taxe ou charge de quelque nature et sous quelque dénomination que ce soit, autres ou plus onéreux que ceux auxquels sont soumis les ressortissants turcs.

Les ressortissants desdites Puissances, qui seraient établis à l'étranger et qui se livreraient pendant leur passage sur le territoire turc à une activité quelconque, ne seront soumis à aucun impôt, taxe, charge de quelque nature ou sous quelque dénomination que ce soit, autres ou plus onéreux que ceux auxquels seraient soumis les ressortissants turcs ou étrangers établis en Turquie pour une activité de même nature et importance aux termes des dispositions fiscales en vigueur dans le pays.

Les biens, droits et intérêts des ressortissants desdites Puissances en territoire turc ne seront soumis à aucune charge, taxe ou impôt direct ou indirect, autres ou plus élevés que ceux qui pourront être imposés aux biens, droits et intérêts des ressortissants turcs, tant en ce qui concerne l'acquisition, possession, et jouissance desdits biens, qu'en ce qui concerne leur transfert par cession, mutation ou héritage.

Article 11.

Les sociétés civiles ou commerciales, industrielles ou financières, y compris les sociétés de transport ou d'assurance, qui sont constituées sous la loi d'un des autres pays contractants et qui s'établissent en Turquie ou y exercent leur activité, n'y seront soumises à aucun impôt, droit ou taxe de quelque nature ou sous quelque dénomination que ce soit, auxquels ne seraient point soumises les sociétés de même nature constituées sous la loi turque.

Les mêmes dispositions s'appliqueront aux filiales, succursales agences et autres représentations de firmes ou sociétés desdits pays, qui sont établies en Turquie ou y exercent leur activité, étant entendu que lesdites filiales, succursales, agences et représentations, ne seront imposées que pour leur capital réellement investi en Turquie ou sur les bénéfices et revenus qu'elles y ont réellement acquis, ceux-ci pouvant servir à la détermination du capital imposable, s'il ne peut être déclaré ou vérifié

enter, reside and establish themselves in the territory of each of the other Contracting Powers, shall form the subject of separate Conventions, which the said Powers hereby declare themselves ready to conclude with Turkey.

CHAPTER II.

Fiscal Clauses.

Article 10.

Nationals of the Contracting Powers other than Turkey shall not be subjected to any charge, tax or impost of whatever kind or under whatever description, other or higher than those which may be imposed on Turkish nationals, in respect of their stay or residence in Turkish territory, or in respect of the exercise of any form of commerce, profession, industry, enterprise or activity of whatever kind in Turkey which they are allowed to carry on in accordance with the provisions of Article 4.

The nationals of the said Powers who are established abroad and who, while passing through Turkish territory, undertake any business, shall not be subjected to any charge, tax or impost of whatever kind or under whatever description other or higher than those to which Turkish nationals or foreigners established in Turkey are subjected in respect of an activity of the same kind and importance, in accordance with the fiscal provisions in force in the country.

The property, rights and interests in Turkish territory of the nationals of the said Powers shall not be subjected to any impost, tax or charge, direct or indirect, other or higher than those which may be imposed on the property, rights and interests of Turkish nationals, whether as regards the acquisition, possession or enjoyment of the said property, or as regards its transfer by grant, exchange or succession.

Article 11.

Commercial, industrial or financial corporations, including transport and insurance companies, and non-trading corporations, which are incorporated in accordance with the law of one of the other contracting countries, and which establish themselves in Turkey or carry on their affairs there, shall not be subjected to any impost, tax or charge, of whatever kind or under whatever description, to which corporations of the same kind incorporated under Turkish law are not subjected.

The same provisions apply to associated companies, branches,

agencies et autres représentations de firmes ou sociétés desdits pays, qui sont établies en Turquie ou y exercent leur activité, étant entendu que lesdites filiales, succursales, agences et représentations, ne seront imposées que pour leur capital réellement investi en Turquie ou sur les bénéfices et revenus qu'elles y ont réellement acquis, ceux-ci pouvant servir à la détermination du capital imposable, s'il ne peut être déclaré ou vérifié

Article 12.

Si le Gouvernement turc institue, à l'effet de favoriser la production, le commerce ou les transports en Turquie, des exonérations de charges fiscales, de quelque nature ou sous quelque dénomination que ce soit, ou attribue des primes, ristournes ou tout autre mode d'encouragement, ces exonérations ou encouragements seront alloués ainsi bien aux ressortissants ou sociétés des autres pays contractants, établis en Turquie, qu'aux ressortissants turcs ou aux sociétés établies sous la loi turque, de manière à éviter toute discrimination au détriment des ressortissants ou sociétés desdits pays.

Article 13.

Pour toute matière visée aux articles précédents, les impôts, droits, taxes, provinciaux ou locaux, imposables en Turquie aux ressortissants des autres pays contractants ne seront point autres ou plus élevés que ceux qui seraient imposés aux ressortissants turcs

Article 14.

Aucun emprunt forcé ou autre prélèvement exceptionnel sur la fortune, ne seront imposés en Turquie, même en cas de guerre, aux ressortissants des autres pays contractants établis en Turquie ou y exerçant leur activité, à leurs biens, droits et intérêts situés sur le territoire turc, ainsi qu'aux sociétés, filiales, succursales ou agences constituées sous la loi d'un desdits pays et établies en Turquie ou y exerçant leur activité.

Article 15.

Au point de vue des charges fiscales de toute nature, les établissements religieux, scolaires ou d'assistance établis en Turquie par des ressortissants, associations, ou sociétés des autres pays contractants, y bénéficieront, sans distinction de religion, de toutes

agencies and other representatives of firms or companies of the said countries which are established or carry on their affairs in Turkey, it being understood that the said associated companies, branches, agencies and representatives will only be taxed in proportion to the amount of the capital actually employed in Turkey, or in respect of the profits and revenues which they have actually earned there, these revenues being used to determine the amount of capital employed if it is impossible to state or verify that capital.

Article 12.

If the Turkish Government, in order to encourage production, commerce or transport in Turkey, establishes any exemptions from fiscal charges, of whatever kind or under whatever description, or grants premiums, rebates or any other method of encouragement, these exemptions or methods of encouragement will be allowed to the nationals or companies established in Turkey of the other contracting countries in the same way as to Turkish nationals or to companies established under Turkish law, so as to avoid all discrimination to the detriment of the nationals or companies of those countries.

Article 13.

In respect of all matters referred to in the preceding Articles, provincial or local charges, imposts or taxes, leviable in Turkey on the nationals of the other contracting countries shall not be other or higher than those levied on Turkish nationals.

Article 14.

No forced loan or other exceptional levy on wealth shall be imposed in Turkey, even in case of war, on nationals of other contracting countries established in Turkey or carrying on their affairs therein, or on their property, rights and interests situated in Turkish territory, or on corporations, associated companies, branches or agencies constituted under the law of one of the said countries and established in Turkey or carrying on their affairs therein.

Article 15.

As regards fiscal charges of every kind, religious, scholastic or charitable institutions established in Turkey by the nationals, associations or corporations of the other contracting countries shall, without any distinction on the ground of religion, receive the

exonérations ou facilités qui sont ou seraient accordées aux établissements religieux, scolaires, ou d'assistance turcs.

Par dérogation exceptionnelle, la franchise douanière est accordée pendant la durée de la présente Convention pour l'importation en Turquie des objets nécessaires au culte ou des matérieux et outillages destinés à l'entretien desdits établissements.

benefit of all exemptions or facilities which are or may be granted to Turkish religious, scholastic or charitable institutions.

As a special exception, freedom from Customs duties are granted for the duration of the present Convention in respect of the importation into Turkey of articles necessary for the purposes of religion, or materials and implements required for the maintenance of the said institutions

Article 16.

Conformément à l'abolition des Capitulations, la Turquie n'accordera pas aux ressortissants des Puissances étrangères un traitement plus favorable qu'à ses propres ressortissants et appliquera à ses ressortissants et aux ressortissants des autres Parties Contractantes le principe de l'égalité de traitement, tant ce qui concerne les matières prévues aux dispositions précédentes qu'en ce qui concerne celles qui n'y seraient point prévues.

Article 16.

The Capitulations having been abolished, Turkey will not grant to the nationals of foreign countries any treatment more favourable than that accorded to her own nationals, and will apply to her nationals and to the nationals of the other Contracting Parties the principle of equality of treatment, not only as regards the matters referred to in the preceding provisions, but also as regards those which are not referred to.

Article 17.

Chacune des dispositions contenues dans les articles 10 à 14 ci-dessus demeurera applicable en Turquie pendant une durée de dix années aux ressortissants de chacun des autres pays contractants, à la condition que celui-ci accorde aux ressortissants turcs sur son territoire le bénéfice d'une disposition réciproque.

Sous l'application du présent article, les dominions, colonies, pays de protectorat ou pays à mandat seront individuellement considérés comme des pays contractants.

Article 17.

Each of the provisions contained in Articles 10-14 above will remain in force in Turkey for a period of 10 years as regards the nationals of each of the other contracting countries, on condition that such other country grants to Turkish nationals in its territory the benefit of a reciprocal provision

For the purposes of the present Article, Dominions, colonies, protectorates or mandated countries will be considered individually as contracting countries.

CHAPITRE III.

Clauses Judiciaires.

Article 18.

En Turquie, les ressortissants des autres Pays contractants auront libre accès aux tribunaux turcs et pourront ester en justice aux mêmes conditions à tous égards que les ressortissants turcs, sans être astreints à aucune caution ou dépôt, sous quelque dénomination que ce soit, en raison de leur extranéité ou de leur défaut de domicile ou de résidence en Turquie.

Article 19.

Dans les contestations en matière réelle ou immobilière s'élevant en Turquie entre ressortissants des autres Pays contractants ou entre ceux-ci et ressortissants turcs, et concernant des immeubles situées en Turquie, l'action sera portée devant la

CHAPTER III

Judicial Clauses.

Article 18.

In Turkey the nationals of the other Contracting Countries will have free access to the Turkish courts and may sue and be sued in the same conditions in all respects as Turkish nationals, without being subjected to any security or deposit of any sort by reason of their nationality or the fact that they are not domiciled or resident in Turkey.

Article 19.

Real property actions arising in Turkey between nationals of the other Contracting Countries, or between such nationals and Turkish nationals, and relating to immovable property situated in Turkey, shall be brought before the Turkish Court in the

juridiction turque du lieu de la situation de l'immeuble.

Dans les contestations en matière mobilière, civile ou commerciale, qui viendraient à s'élever en Turquie entre ressortissants des autres Pays contractants ou entre ceux-ci et ressortissants turcs, l'action sera, à défaut de stipulation contraire entre les parties, portée devant la juridiction turque selon les règles ordinaires du droit international.

Article 20.

En matière de statut personnel c'est-à-dire pour toutes les questions concernant le mariage et la communauté conjugale, le divorce, la séparation de corps, la dot, la paternité, la filiation, l'adoption, la capacité des personnes, la majorité, la tutelle, la curatelle, l'interdiction, et en général pour toutes questions similaires, ainsi qu'en matière de successions mobilières, testamentaires ou *ab intestat*, seront seuls compétents les tribunaux nationaux ou autres autorités nationales compétentes se trouvant dans le pays duquel les parties ressortissent.

Par dérogation à ce principe pourront également être compétents pour les matières susindiquées vis-à-vis des ressortissants des autres Puissances contractantes, les tribunaux turcs si toutes les parties en cause se soumettent par écrit à la juridiction desdits tribunaux, lesquels statueront d'après la loi nationale desdites parties.

Article 21.

En Turquie, les ressortissants des autres pays contractants seront, en matière pénale, justiciables, conformément aux règles ordinaires du droit international, de la juridiction turque pour tous les crimes, délits et contraventions commis par eux en Turquie, sans préjudice du droit de juridiction que les dits pays auraient, d'après leur législation intérieure, sur leurs propres nationaux pour les crimes ou délits commis par ceux-ci à l'étranger.

Article 22.

Le Gouvernement turc, animé des intentions formulées dans sa déclaration en date de ce jour relativement à la réorganisation de la justice, déclare que les étrangers en Turquie seront assurés, quant à leurs personnes et à leurs biens, devant les juridictions turques d'une protection conforme au droit de gens ainsi qu'aux principes et méthodes généralement suivis dans les autres pays.

locality where the property in question is situated.

Personal, civil or commercial actions arising in Turkey between nationals of the other Contracting Countries, or between such nationals and Turkish nationals, shall, failing any agreement to the contrary between the parties, be brought before the Turkish courts in accordance with the ordinary rules of international law.

Article 20.

In matters of personal status, *i.e.*, all questions relating to marriage, conjugal rights, divorce, judicial separation, dower, paternity, affiliation, adoption, capacity, majority, guardianship, trusteeship, interdiction and in general all similar matters, and also any matters relating to successions to personalty, whether by will or on intestacy, the national tribunals or other competent national authorities established in the country of which the parties are nationals will alone have jurisdiction.

By way of exception the Turkish courts will also have jurisdiction in the matters referred to above in relation to nationals of the other Contracting Powers, if all the parties to the case submit in writing to the jurisdiction of the said courts. In such case the Turkish courts will apply the national law of the said parties.

Article 21.

In criminal matters arising in Turkey the Turkish courts will, in accordance with the ordinary rules of international law, have jurisdiction over all charges against nationals of the other contracting countries, but without prejudice to any rights of jurisdiction which the said countries may have under their own law over their own nationals for offences committed by them abroad.

Article 22.

The Turkish Government, being animated by the intentions stated in its Declaration of even date relating to the reorganisation of the Turkish judicial system, declare that the Turkish courts will ensure to foreigners in Turkey, both as regards person and property, protection in accordance with international law and the principles and methods generally adopted in other countries.

Article 23.

Toutes questions relatives à l'exécution des jugements, à la communication des actes judiciaires et extra-judiciaires aux Commissions rogatoires, aux condamnations aux frais et dépens, à l'assistance judiciaire gratuite et la contrainte par corps seront, dans les rapports entre la Turquie et les autres Puissances contractantes l'objet de conventions spéciales à conclure entre les Etats intéressés.

CHAPITRE IV.

ECOLES ET ETABLISSEMENTS RELIGIEUX OU CHARITABLES.

Article 24.

Aucune entrave ne sera apportée au libre fonctionnement et aux droits de propriété des établissements religieux, scolaires ou charitables, des hôpitaux, dispensaires et autres établissements analogues existant déjà en Turquie et dirigés par des personnes, communautés ou associations ressortissant aux autres Puissances contractantes.

En ce qui concerne la création de nouveaux établissements similaires, les Puissances intéressées se réservent de conclure des arrangements spéciaux avec le Gouvernement turc.

D'une façon générale, les œuvres religieuses, scolaires, hospitalières ou charitables étrangères en Turquie se conformeront, sans toutefois qu'il soit porté atteinte à leur caractère particulier et à leur libre fonctionnement, aux lois et règlements turcs régissant les œuvres analogues du pays.

Article 25.

Les Puissances non signataires seront admises à adhérer à la présente Convention.

Cette adhésion sera signifiée, par la voie diplomatique, au Gouvernement de la République française et par celui-ci à tous les Etats signataires ou adhérents. Elle portera effet à dater du jour de la signification au Gouvernement français.

Article 26.

La présente Convention sera ratifiée.

Les ratifications en seront déposées à Paris aussitôt que faire se pourra.

Elle entrera en vigueur dans les mêmes conditions que le Traité de paix en date de ce jour.

EN FOI DE QUOI les Plénipotentiaires susnommés ont signé la présente Convention.

Fait à Lausanne le 19..... en un seul exem

Article 23.

All questions relating to the execution of judgments, service of judicial and extrajudicial documents, commissions rogatoires, orders for the payment of costs and expenses, free judicial assistance and imprisonment for debt will be regulated between Turkey and the other Contracting Powers by separate conventions to be concluded between the States concerned.

CHAPTER IV.

SCHOOLS, RELIGIOUS AND CHARITABLE ESTABLISHMENTS.

Article 24.

The operations and the property rights of religious, scholastic and charitable establishments, hospitals, dispensaries and other similar establishments now existing in Turkey and conducted by persons, communities or associations who are nationals of any of the other Contracting Powers, shall not be impeded or prejudiced in any way.

The Powers concerned reserve the right to conclude separate arrangements with the Turkish Government as regards the foundation of new establishments of this nature.

Generally, foreign religious, scholastic, medical or charitable establishments in Turkey will comply with the Turkish laws and regulations applicable to similar Turkish establishments, but without their particular character and the freedom of their operations being prejudiced.

Article 25

Non-signatory Powers may accede to the present Convention. Such accession shall be notified through the diplomatic channel to the Government of the French Republic, and by that Government to all of the signatory or acceding states. The accession shall take effect as from the date of the notification to the French Government.

Article 26.

The present Convention shall be ratified.

The ratifications shall be deposited at Paris as soon as possible.

It will come into force in the same way as the Treaty of Peace of even date.

IN FAITH WHEREOF the above-named Plenipotentiaries have signed the present Convention.

Done at Lausanne ....., 192....., in a single copy, which

plaire qui sera déposé dans les archives du Gouvernement de la République française, le quel en remettra une expédition authentique à chacune des Puissances signataires.

. . . . . .

. . . . . .

(Signatures et cachets).

shall be deposited in the archives of the Government of the French Republic, which Government will transmit a certified copy to each of the Signatory Powers.

. . . . . .

. . . . . .

(Signature and Seals).

PROJET DE DÉCLARATION RELATIVE A L'ADMINISTRATION DE LA JUSTICE EN TURQUIE.

Les Plénipotentiaires sous signés, agissant en vertu de leurs pleins pouvoirs, déclarent au nom du Gouvernement de la Grande Assemblée Nationale d'Angora et en conformité de l'article 22 de la Convention en date de ce jour, concernant les conditions d'accès et de séjour des étrangers en Turquie:

(1°) Dès la mise en vigueur du Traité de Paix également signé ce même jour et pour la période nécessaire à la réorganisation de l'administration de la justice à la suite des événements qui ont troublé le pays et au moins pour une période de cinq ans, il constituera un corps de conseillers légistes qu'il recrutera comme il suit.

Le Gouvernement turc constituera une Commission comprenant cinq membres, dont deux fonctionnaires de l'Administration de la justice en Turquie et trois membres qu'il choisira parmi les juges titulaires ou suppléants de la Cour Permanente de Justice Internationale de La Haye. Cette Commission sera chargée de présenter au Gouvernement turc les candidats parmi lesquels celui-ci nommera un nombre suffisant, d'après les dispositions ci-après de conseillers légistes destinés à être attachés au Ministère de la Justice et affectés au service des tribunaux de Constantinople, Smyrne, Samsoun et Adana, ainsi qu'à la Cour d'Appel et à la Cour de Cassation. La Commission joindra à la présentation desdits candidats l'indication des conditions de leur engagement et de leur traitement.

(2°) Dès la mise en vigueur dudit Traité de Paix, le Gouvernement turc constituera, d'autre part, un Comité consultatif dont feront partie, avec les fonctionnaires des différents services turcs intéressés, ceux des dits conseillers légistes qui seront affectés au Service de la Cour d'Appel et de la Cour de Cassation. Ce Comité aura pour tâche d'élaborer tous projets de

DRAFT DECLARATION RELATING TO THE ADMINISTRATION OF JUSTICE IN TURKEY.

The undersigned Plenipotentiaries, acting under their Full Powers, declare as follows in the name of the Government of the Grand National Assembly of Angora, and in accordance with Article 22 of the Convention of even date relating to the conditions in which foreigners may enter and reside in Turkey:

(1) On the coming into force of the Treaty of Peace of even date, and during the period necessary for the reorganisation of the administration of justice after the events which have disturbed the country and at least for a period of five years, there shall be established a body of Legal Counsellors recruited in the following manner.

The Turkish Government will appoint a Commission consisting of five members, of whom two will be officials connected with the administration of justice in Turkey, and three will be chosen by the Turkish Government from among the judges and supplementary judges of the Permanent Court of International Justice of The Hague. It will be the duty of this Commission to propose to the Turkish Government the names of candidates, from among whom that Government will appoint a sufficient number, in accordance with the following provisions, of Legal Counsellors to be attached to the Ministry of Justice, and assigned to the tribunals of Constantinople, Smyrna, Samsoun and Adana, and also to the Court of Appeal and the Court of Cassation. The Commission, when presenting the names of the said candidates, will lay down their conditions of service and salaries.

(2) On the coming into force of the said Treaty of Peace the Turkish Government will also appoint an Advisory Committee, on which those of the said Legal Counsellors who are assigned to the Court of Appeal and the Court of Cassation will sit, along with officials of the different Turkish Departments concerned. It will be the duty of this Committee to prepare all such

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réforme qui serait jugée nécessaire pour mettre la législation, l'administration de la justice en Turquie et le régime pénitentiaire en conformité des conditions du monde moderne.

(3°) En cas de compétence de la juridiction turque vis-à-vis des étrangers dans les affaires du statut personnel, comme dans les affaires mobilières, civiles ou commerciales, lorsque la demande dépasse 50 livres turques, ainsi que dans les affaires pénales lorsque le prévenu poursuivi en Turquie est un étranger, les tribunaux turcs énumérés au paragraphe 1°, alinéa 2, de la présente Déclaration, auront seuls à connaître en première instance des dites affaires: leurs circonscriptions judiciaires seront fixées en conséquence.

Lorsque les tribunaux et Cours visés au paragraphe (1°), alinéa 2, de la présente Déclaration auront à connaître, pour jugement ou pour instruction d'une desdites affaires, leur composition comportera toujours la présence d'au moins un conseiller législe, choisi parmi ceux prévus audit alinéa. Lorsqu'un Tribunal ou une Cour jugera, en dernier ressort, sa composition comportera toujours un nombre de conseillers légistes assurant à ceux-ci la majorité dans les délibérations.

(4°) Dans les villes de Constantinople, Smyrne, Samsoun et Adana, les mandats d'amener et d'arrêt, ainsi que les mandats ordonnant des visites domiciliaires ne seront devenus contre des étrangers que sur le visa d'un des Conseillers légistes prévus au paragraphe 1°, alinéa 2, de la présente Déclaration, devant lequel le prévenu sera traduit sans délai.

Les étrangers qui auront été arrêtés sans mandat dans le cas de flagrant délit, ou qui auront été arrêtés ailleurs que dans les villes ci-dessus désignées, pourront toujours reclamer d'être envoyés sans délai et au plus tard dans les 48 heures de l'arrestation devant un des conseillers légistes effectués au service judiciaire dans la plus proche desdites villes. Passé ce délai la mise en liberté sera obligatoire.

L'original de la présente Déclaration restera déposé dans les archives du Gouvernement de la République Française, qui en remettra une expédition authentique à chacune des Puissances signataires du Traité du Paix en date de ce jour.

Fait à Lausanne, le.....19..

(Signatures et cachets.)

schemes of reform as may be considered necessary to bring the law, the administration of justice and the prison system in Turkey into conformity with modern conditions.

(3) In cases where the Turkish courts have jurisdiction over foreigners in matters of personal status, or in personal, civil or commercial matters where the sum claimed exceeds £T50, as well as in criminal cases in Turkey where the accused is a foreigner, the Turkish tribunals mentioned in paragraph (1), second sub-paragraph, of the present Declaration will have exclusive jurisdiction in first instance over the said matters. The areas over which the jurisdiction of these tribunals extends will be fixed accordingly.

When any of the tribunals and courts referred to in paragraph (1), second sub-paragraph of the present Declaration has to deal with one of the said matters, whether by way of hearing or of preliminary investigation, at least one Legal Counsellor, chosen from among those provided for in the said sub-paragraph, shall always sit as a member of the court. When any such tribunal or court is sitting as a final court of appeal, a number of Legal Counsellors sufficient to ensure their composing the majority of the court, shall always sit as members of the court.

(4) In the towns of Constantinople, Smyrna, Samsoun and Adana, warrants for arrest and search warrants will not be issued against foreigners unless they have been countersigned by one of the Legal Counsellors referred to in paragraph (1), second sub paragraph, of the present Declaration, and the accused shall be brought before one of the said Counsellors without delay.

Foreigners who have been arrested *flagrante delicto* without a warrant, or who have been arrested outside the towns mentioned above, will always have the right to claim to be sent without delay, and at latest within 48 hours of their arrest, before one of the Legal Counsellors assigned to the courts in the nearest of the said towns. If the arrested person is not so sent within the said period, he shall be set at liberty.

The original of the present Declaration will remain deposited in the archives of the Government of the French Republic, which will transmit a certified copy to each of the Powers signatory of the Treaty of Peace of even date.

Done at Lausanne..... ..192

(Signatures and Seals.)

Document No. V. of Final Act.

PROJET DE DÉCLARATION RELATIVE A LA PARTICIPATION DE L'ALBANIE AU PAIEMENT DE LA DETTE PUBLIQUE OTTOMANE.

L'Albanie déclare accepter de supporter les charges financières et obligations économiques qui lui incombent en tant que territoire détaché de l'ancien empire ottoman, et qui lui seront fixées conformément aux dispositions du Traité de Paix signé à Lausanne le 19. .

En foi de quoi le soussigné, après avoir exhibé aux Puissances signataires dudit Traité de Paix ses pleins pouvoirs trouvés en bonne et due forme, a signé la présente Déclaration.

L'original de la présente Déclaration restera déposé dans les archives de la République Française, qui en délivrera des expéditions authentiques à chacune desdites Puissances ainsi qu'à l'Albanie et la Bulgarie.

Fait à Lausanne, le.....19...

DRAFT DECLARATION RESPECTING THE PARTICIPATION OF ALBANIA IN THE PAYMENT OF THE OTTOMAN PUBLIC DEBT.

Albania hereby agrees to bear the financial charges and economic obligations which fall upon her as a territory detached from the former Ottoman Empire, and which will be determined in accordance with the provisions of the Treaty of Peace signed at Lausanne the .....19.....

In faith whereof the undersigned, after having produced to the Powers signatory to the said Treaty of Peace his full powers, found in good and due form, has signed the present Declaration.

The original of the present Declaration will remain deposited in the Archives of the French Republic and certified copies will be transmitted to each of the said Powers as well as to Albania and Bulgaria.

Done at Lausanne, the ....., 19 .....

Document No. VI. of Final Act.

PROJET DE CONVENTION RELATIVE AU RÉGIME DU COMMERCE AVEC LA TURQUIE

L'EMPIRE BRITANNIQUE, la FRANCE, l'ITALIE, le JAPON, la GRÈCE, la ROUMANIE, l'ETAT SERBE CROATE SLOVENE, d'une part,

Et la TURQUIE, d'autre part,

Unanimes à considérer le régime commercial résultant des anciennes capitulations comme ne correspondant plus au progrès économique de la Turquie,

Et animés du désir d'établir leurs relations économiques sur la base du droit et dans les termes les plus propres à encourager le commerce et à faciliter les échanges,

Ont résolu de conclure une Convention à cette fin et ont nommé pour leurs Plénipotentiaires, savoir:

. . . . . .

Lesquels, après avoir exhibé leurs pleins pouvoirs trouvés en bonne et due forme, sont convenus des dispositions suivantes

CONVENTION RESPECTING THE COMMERCIAL RÉGIME WITH TURKEY.

GREAT BRITAIN, FRANCE, ITALY, JAPAN, GREECE, ROUMANIA, and the SERB-CROAT-SLOVENE STATE of the one part,

And TURKEY of the other part,

Considering unanimously that the commercial *régime* resulting from the former Capitulations no longer corresponds to the economic progress of Turkey, and being animated with a desire to establish their economic relations on a basis of equity and under conditions most likely to encourage commerce and to facilitate trade, have resolved to conclude a Convention for this purpose and have appointed the following to be their plenipotentiaries

who, having produced their full powers, found in good and due form, have agreed as follows:

SECTION I

Article 1.

A partir de la mise en vigueur de la présente Convention, le régime commercial résultant des Capitulations, ainsi que de la Convention du 2[illegible] avril 1907,

SECTION I

Article 1.

From the coming into force of the present Convention, the commercial *régime* arising from the Capitulations as well as from the Convention of 29th April,

revisé le 23 avril 1911, est abrogé entre la Turquie et les autres Puissances contractantes.

Article 2

Dès la mise en vigueur de la présente Convention, les tarifs applicables à leur importation en Turquie aux produits naturels ou fabriqués originaires et en provenance des territoires des autres pays contractants, seront ceux du tarif spécifique ottoman mis en vigueur le 1 septembre 1916, payables en monnaie turque.

Article 3.

Les coefficients de majoration applicables aux droits inscrits au tarif de 1916 perçus en monnaie papier, seront ceux qui étaient en vigueur au 15 décembre 1922.

Toutefois, les articles qui, à la même date étaient prohibés ou qui étaient soumis à un coefficient supérieur à 12, seront ramenés au dit coefficient. Les articles énumérés au Tableau annexe 1 seront soumis au coefficient 8.

Les coefficients ci-dessus établis seront maintenus à moins que la différence moyenne entre la livre turque papier et la livre turque or n'ait indiqué, un mois durant, une augmentation ou une diminution d'au moins 30% par rapport à la différence qui existait à la date de la mise en vigueur du présent Traité. Dans ce cas, et après chaque revalorisation ou dévalorisation de même importance de la livre turque, la Turquie devra diminuer ou pourra augmenter les coefficients dans une proportion égale à la revalorisation ou à la dévalorisation constatée par la moyenne mensuelle des changes.

Toutefois, en cas de dévalorisation de sa devise, la Turquie ne sera tenue à diminuer le coefficient 5, pour les droits qui y sont actuellement soumis, qu'à partir du moment où ce coefficient dépasserait le coefficient compensateur de la dévalorisation de la devise turque, par rapport à l'or.

En cas de réforme monétaire, les divers coefficients ci-dessus fixés seraient modifiés en fonction de la différence entre la nouvelle monnaie et l'ancienne, de manière à ne pas altérer l'incidence des droits de douane.

Article 4.

La Turquie s'engage à supprimer dès la mise en vigueur de la présente Convention et à ne pas rétablir ensuite pendant la durée de la présente Convention, toutes prohibitions d'importation et d'exportation autres que celles qui pourraient être nécessaires pour :

(1°) réserver les ressources indispensables à la vie alimentaire et à l'activité économique de la nation ;

(2°) assurer la sécurité de l'Etat ;

(3°) préserver les personnes, les animaux et les plantes contre les maladies contagieuses, épizooties et épiphyties ;

(4°) empêcher l'usage de l'opium et autres toxiques ;

(5°) interdire l'importation des produits alcooliques dont l'usage est prohibé à l'intérieur ;

(6°) empêcher l'exportation de la monnaie or ou du métal or.

A condition qu'une équitable réciprocité lui soit accordée par chacune des autres Puissances contractantes aux termes de sa législation, la Turquie s'engage à appliquer les prohibitions, sans discrimination d'aucune sorte et, au cas où elle accorderait des dérogations ou licences pour des produits prohibés, à ne point favoriser le commerce d'une autre Puissance contractante ou d'une Puissance quelconque au détriment du commerce d'aucune Puissance contractante.

Article 5.

Aucun droit d'accise, de consommation, d'octroi et en général aucun droit ou taxe intérieure ou locale ne sera applicable en Turquie aux marchandises originaires et en provenance des autres pays contractants que dans la mesure où il est perçu sur des articles identiques et similaires dont une production effective existe en Turquie.

En outre, la Turquie pourra continuer à percevoir dans les mêmes conditions d'égalité entre ses ressortissants et les ressortissants des autres pays contractants pour les produits énumérés au Tableau de l'annexe II les droits de consommation indiqués audit Tableau.

Article 6.

Sous condition d'une équitable réciprocité que chacune des autres Puissances contractantes accordera à la Turquie, conformément à sa législation, tout droit d'exportation que la Turquie aura établi ou pourrait éventuellement établir sur un produit quelconque, naturel ou fabriqué, sera également appliqué à tous pays destinataires, soit que ce soit par un moyen direct ou indirect ou par des sur-

re-establish during its continuance, all prohibitions of import and export, except those which may be necessary :

(1) to maintain the resources indispensable for the victualling and the economic activity of the nation ;

(2) to ensure the security of the State ;

(3) to protect persons, animals and plants against contagious diseases, epizootics, and epiphytics ;

(4) to prevent the use of opium and other poisons ;

(5) to prohibit the import of alcoholic products, the use of which is forbidden in the country ;

(6) to prevent the export of gold money or gold metal.

Subject to equitable reciprocity being accorded to her by each of the other contracting Powers in accordance with its legislation, Turkey undertakes to apply the prohibitions without discrimination of any kind, and in the event of her granting exemptions or licences in respect of prohibited produce, not to favour in any way the trade of any contracting Power or of any other Power to the prejudice of the trade of any contracting Power.

Article 5.

No excise, consumption, octroi, or any other duty or tax, internal or local, shall be applicable in Turkey to goods originating or emanating from the other contracting countries, except to the extent to which it is exacted in respect of identical and similar articles of which there is a substantial production in Turkey.

Nevertheless, Turkey may continue to exact under the same conditions of equality between her nationals and the nationals of other contracting countries, the consumption duties in respect of the produce set out in Schedule 2

Article 6.

Subject to an equitable reciprocity being accorded to Turkey by each of the other contracting Powers in accordance with its legislation, every export duty, which Turkey may have imposed or may impose on any goods, natural or manufactured, shall be applied equally whatever the country of destination. No discrimination to the prejudice of the commerce of any one of the

taxes ou exonérations de quelque nature et sous quelque dénomination que ce soit, il puisse être institué une discrimination au détriment du commerce de l'une quelconque des autres Puissances contractantes.

Contracting Powers shall be established by any means, direct or indirect, or by any sur-tax or exemptions of any nature, or under any name whatsoever

Article 7.

Le bénéfice des dispositions des articles 2 à 6 est accordé en Turquie pour une durée de cinq années, à dater de la mise en vigueur de la présente Convention, à chacune des autres Puissances contractantes, lesquelles bénéficieront en outre de tout traitement plus favorable, que, pour les matières visées aux dits articles, la Turquie pourrait accorder à tout autre pays soit en vertu de conventions anciennes, soit en vertu de mesures et conventions nouvelles, à l'exclusion toutefois des avantages spéciaux qu'en matière de tarifs ou généralement en toute matière commerciale, la Turquie pourrait accorder à l'un quelconque des territoires détachés de la Turquie en vertu du Traité de paix en date de ce jour.

Article 7

The benefit of the provisions of Articles 2 to 6 above is granted in Turkey for a period of 5 years from the coming into force of the present Convention to each of the contracting Powers, who will further benefit from any more favourable treatment in respect of the matters referred to in the said articles which Turkey may grant to any other country, whether by virtue of previous conventions or of new measures and conventions, except such advantages as regards tariffs or generally in regard to commercial matters which Turkey may grant to any one of the territories detached from Turkey by virtue of the Treaty of Peace of even date.

Article 8.

La bénéfice des dispositions des articles 2 à 7 ne pourra toutefois être reclamé par aucune des Puissances contractantes [illegible] pendant la même période de [illegible] favorable que celle qu'aux termes de sa législation respective, elle peut accorder à tous autres pays étrangers.

Article 8.

The benefit of the provisions of Articles 2 to 7 above cannot be claimed by any of the contracting Powers which does not grant to Turkey during the same period of [illegible] favourable as that which it can grant to other foreign countries in accordance with the terms of its legislation.

Article 9.

Les dispositions de la présente Section [illegible] pour une durée de cinq années. La Turquie s'engage [illegible] à tout moment, et à la demande qui lui en serait faite par une autre Puissance contractante, [illegible] les négociations en vue de la conclusion de traités de commerce.

Ces Traités seront conclus sans [illegible] à un régime équitable du commerce stipulé à l'article 23 (*e*) du Pacte de la Société des Nations.

Article 9.

The provisions of this section remain in force for a period of [illegible] years.

At the request of any other contracting Power, made before the expiration of this period, Turkey undertakes to begin at any time, and actively to proceed with, negotiations for the conclusion of Treaties of Commerce. These Treaties will be concluded without infringing the equitable treatment of commerce provided for by Article 23 (*e*) of the Covenant of the League of Nations.

ANNEXE I.

Liste des articles soumis au coefficient 5

66 Pommes de terre.
69 Oranges.
[illegible]
130 Eaux Minérales.
178 Peaux [illegible]

ANNEX I.

List of articles subject to the coefficient 5.

65 Potatoes.
69 Oranges.
121 Confectionery (sweetmeats).
130 Mineral waters
178 Dressed leather.

180 Peaux de porc.
185, 187, 188 Footwear.
192 Gants
200-201 Pelleteries brutes ou ouvrées
217-218 Meubles.
270 les articles actuellement prohibés.
273 274 et 275 Broderies, dentelles et rubans de coton.
302 Bourre de soie
305 Gaze, etc.
306 Tulle de soie, etc
308 Tissus de soie.
311-312 Bonneterie de soie.
314 Passementerie de soie.
324 Châles et ceintures de laine.
339 Vêtements.
348 Ombrelles, parapluies, parasols, etc.

180 Pigskin.
185, 187, 188 Chaussures
192 Gloves
200, 201 Peltry, raw or prepared.
217, 218 Furniture.
270 Articles actually prohibited.

273, 274, 275 Embroidery, Lace, and Cotton Ribbons.
302 Silk waste.
305 Gauze, etc.
306 Silk Tulle, etc.
308 Silk Tissue.
311, 312 Silk Hosiery.
314 Silk Passementerie.
324 Woollen Shawls, and Belts
339 Clothing.
348 Umbrellas, Parasols, etc.

ANNEXE II.

Taxes de consommation

Thé	[illegible] par kilo.
Café	[illegible]
Pétrole	[illegible]
Riz	[illegible]
Margarine	[illegible]
Bougie de stéarine	[illegible]
Bougies de suif	[illegible] par kilo.
Sucre [illegible]	[illegible]
Savons	[illegible]
Allumettes	[illegible] boîte.
Allumettes [illegible]	[illegible]
Papier [illegible]	[illegible] feuilles.
Bougies	[illegible] simples.
Sucre	[illegible] sucre.
Bière	
Articles [illegible]	Soumis à une taxe ou [illegible]
Eaux minérales	[illegible]
Boissons [illegible]	[illegible]

ANNEX II

Tea	[illegible] per kilo.
Coffee	[illegible]
Petroleum	[illegible]
Rice	[illegible]
Margarine	[illegible]
Candles, stearic	[illegible]
Ordinary candles	[illegible] per kilo.
Sugar, soft & hard	[illegible]
Soaps	[illegible]
Matches	[illegible] per box.
Wax matches	[illegible]
Cigarette paper	[illegible] per 50 sheets.
Cigarettes	[illegible] per 1000 cigarettes.
Sugar	[illegible] per kilo.
Biscuits	[illegible]
Chocolate	[illegible]
Confectionery	Subject to a [illegible]
Mineral waters	[illegible] according to [illegible]
Non-Alcoholic beverages	[illegible]

SECTION II.

Article 10.

La Turquie s'engage, à condition qu'un traitement réciproque lui soit accordé en la matière, à accorder aux navires des autres Puissances contractantes un traitement égal à celui qu'elle accorde aux navires nationaux ou un traitement plus favorable qu'elle accorde ou pourrait accorder aux navires de toute autre Puissance.

Le droit est expressément reconnu aux Hautes Parties Contractantes de réserver au pavillon national la pêche, le cabotage maritime, c'est-à-dire le transport par mer de marchandises embarquées dans un port du territoire national vers un autre port du même territoire et les services des ports, c'est-à-dire le remorquage, le pilotage et tous services intérieurs de quelque nature que ce soit.

Si la Turquie réserve au pavillon national le cabotage maritime et la pêche, elle pourra néanmoins accorder à cet égard un traitement spécial au pavillon de l'un quelconque des territoires

SECTION II.

Article 10.

Turkey undertakes, on condition that reciprocity is accorded in this matter, to grant to the ships of the other Contracting Powers a treatment equal to that which she accords to national ships, or any more favourable treatment that she grants or may grant to the ships of any other Power.

The right of the High Contracting Parties is expressly recognised of reserving to the national flag, fishing, maritime cabotage, that is to say, transport by sea of goods embarked in a port of one national territory for another port in the same territory and port services, that is to say, towage, pilotage and all interior services of whatever nature they may be.

If Turkey reserves for her national flag maritime cabotage and fishing, she may, nevertheless, in this respect grant special treatment to the flag of any one of the territories detached from

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détachés en vertu du Traité de paix en date de ce jour, sans que le bénéfice de ce traitement puisse être réclamé par d'autres pavillons.

La Turquie permettra à titre transitoire pendant une période de cinq ans le transport de marchandises et voyageurs d'un port turc à un autre port turc aux entreprises qui ressortissent aux autres pays contractants et qui ne seraient point affectées exclusivement à ce trafic.

Article 11.

L'égalité de traitement sera accordée à titre réciproque en ce qui concerne la droit d'importer ou d'exporter toute espèce de marchandise ou de transporter les voyageurs à destination ou provenance du pays, et la jouissance de toutes facilités quant au stationnement, au chargement et au déchargement des vaisseaux aux ports, docks, quais et rades.

Il y aura aussi une égalité absolue, sous la même condition de réciprocité en ce qui concerne les droits, charges et paiements de toute espèce prélevés sur les navires, comme les droits sanitaires, les droits de port, de quai, de mouillage, de pilotage, de quarantaine, de phares et autres droits similaires perçus au nom ou au profit du gouvernement, de fonctionnaires, des individus privés, des associations ou des établissements de toute espèce.

La Turquie s'engage de même et moyennant réciprocité à ne grever les marchandises importées ou exportées d'aucun droit différentiel surtaxe ou majoration de quelque nature ou sous quelque dénomination que ce soit, fondés sur le pavillon du navire importateur ou exportateur, sur les ports d'arrivée ou de départ, sur le voyage du navire ou sur les escales, les droits et taxes imposables aux marchandises importées ou exportées n'étant déterminés que par leur origine et provenance ou leur destination et étant également applicables pour toutes les autres Puissances contractantes, en vertu des dispositions de la Section I.

Article 12

Toute espèce de certificat ou de documents ayant rapport aux navires et bateaux, à leurs cargaisons et à leurs passagers qui étaient reconnus comme valables par la Turquie avant la guerre, et qui pourront ultérieurement être reconnus comme valables par les principaux Etats maritimes seront reconnus par la Turquie, vis-à-vis des navires ressortissant aux autres Puissances contractantes, comme valables et comme équivalents aux certificats correspondants octroyés à des navires et bateaux turcs

Article 13.

Les dispositions de la présente Section seront appliquées par les Hautes Parties Contractantes pendant une période de dix années à compter de la mise en vigueur de la présente Convention.

SECTION 3.

Article 14.

La Turquie s'engage à prendre toutes les mesures législatives ou administratives et à permettre tout recours en justice à l'effet de garantir les produits naturels ou fabriqués originaires de l'une quelconque des autres Puissances contractantes contre toute forme de concurrence déloyale dans les transactions commerciales

La Turquie s'engage à réprimer et prohiber par des sanctions appropriées l'importation ou l'exportation, ainsi que la fabrication, la circulation, la vente et la mise en vente à l'intérieur, de tous produits ou marchandises qui portent sur eux-mêmes ou sous leur conditionnement immédiat ou sur leur emballage extérieur des marques, noms, inscriptions ou signes quelconques comportant, directement ou indirectement, de fausses indications sur l'origine, l'espèce, la nature ou les qualités spécifiques de ces produits ou marchandises.

Article 15.

La Turquie, à la condition qu'un traitement réciproque lui soit accordé en cette matière, s'engage à se conformer aux lois, ainsi qu'aux décisions administratives ou judiciaires prises conformément à ces lois, en vigueur dans un autre pays contractant et régulièrement notifiées à la Turquie par les autorités compétentes, déterminant ou réglementant le droit à une appellation régionale pour les produits qui tirent du sol ou du climat leurs qualités spécifiques ou les conditions dans lesquelles l'emploi d'une appellation régionale peut être autorisée, et l'importation, l'exportation ainsi que la fabrication, la circulation, la vente ou mise en vente des produits ou marchandises portant des appellations régionales, contrairement aux lois ou décisions prescrites, seront interdites par la Turquie et réprimées par les mesures prescrites à l'article 14.

Article 16.

La Turquie s'engage, avant l'expiration d'un délai de douze

Turkey by the Treaty of even date, without the benefit of this treatment being able to be claimed by other flags.

As a transitory provision Turkey will permit for a period of five years the transport of goods and passengers from one Turkish port to another Turkish port by undertakings of other Contracting States which do not confine themselves exclusively to this traffic.

Article 11.

Subject to reciprocity, equality of treatment shall be granted as regards the right to import or export goods of any description or to transport passengers going to or coming from the country and the enjoyment of all facilities with regard to stationing, loading and unloading of vessels at ports, docks, quays and roads.

There shall also be an absolute equality, under the same condition of reciprocity, as regards duties, charges and payments of all kinds levied on ships, such as sanitary duties, port, quay, harbour, pilotage, quarantine, light house and other similar duties levied in the name of or for the profit of the Government, public functionnaries, private individuals, corporations or establishments of any kind.

Turkey also undertakes, on condition of reciprocity, not to subject imported or exported goods to any differential due, surtax, or increase of any nature or kind based on the flag of the ship by which the goods are imported or exported, on the ports of arrival or departure, on the voyage of the ship or the ports at which it has called, the dues and taxes levinable on goods imported or exported being determined only on their origin or their destination and being applied equally as regards all the Contracting Powers in accordance with the provisions of Section I.

Article 12.

All classes of certificates or documents relating to vessels, their cargoes and passengers which were recognised as valid by Turkey before the war or which may hereafter be recognised as valid by the principal maritime States shall be recognised by Turkey as regards the vessels belonging to the other Contracting Powers as valid and as equivalent to the correspond ing certificates issued to Turkish vessels.

Article 13.

The provisions of the present Section shall be applied by the High Contracting Parties for a period of ten years from the coming into force of the present Convention.

SECTION III

Article 14.

Turkey undertakes to adopt all the necessary legislative and administrative measures and to allow access to the Courts in order to protect goods the produce or manufacture of any one of the other Contracting Powers from all forms of unfair competition in commercial transactions.

Turkey undertakes to prohibit and repress by appropriate remedies the importation, exportation, manufacture, distribution, sale or offering for sale in her territory of all goods bearing upon themselves or their get-up or wrappings, any marks, names, devices or descriptions whatsoever which are calculated to convey, directly or indirectly, false indications of the origin, type, nature or special characteristics of such goods.

Article 15.

Turkey undertakes, on condition that reciprocity is accorded in these matters, to respect any law or any administrative or judicial decision given in conformity with such law in force in any other Contracting State and duly communicated to her by the proper authorities, defining or regulating the right to any regional appellation in respect of products which derive their special qualities from the soil or the climate, or the conditions under which the use of any such appellation may be permitted; and the importation, exportation, manufacture, distribution, sale or offering for sale of products or articles bearing regional appellations inconsistent with such laws or orders shall be prohibited by Turkey and repressed by the measures prescribed by Article 14.

Article 16

Turkey undertakes within a period of twelve months from the

mois à partir de la mise en vigueur de la présente Convention.

(1°) à adhérer dans les formes prescrites à la Convention Internationale de Paris du 20 mars 1883 pour la protection de la propriété industrielle, revisée à Washington [illegible] qu'à la Convention Internationale [illegible] littéraires et artistiques, revisée à [illegible] au Protocole Additionnel de [illegible]

(2°) dès avant l'expiration du [illegible] protéger par législation effective, conformément aux principes des dites Conventions, la propriété [illegible] tique des nationaux des autres [illegible]

[illegible]

[illegible] toutes questions concernant les archives, registres et plans relatifs au service de la propriété [illegible] tique, ainsi que leur transmission ou communication éventuelle par les offices de la Turquie aux offices des Etats en faveur desquels des territoires sont détachés [illegible]

Article 18

[illegible] réservent le droit de déclarer au moment de la mise en vigueur de la présente Convention que les dispositions de ladite Convention [illegible] ou partie de leurs Dominions jouissant d'un gouvernement autonome, de leurs colonies, pays de protectorat, possessions, ou territoires d'outre-mer soumis à [illegible] dans ce cas, la Turquie serait déliée des obligations qui résultent pour elle de la présente Convention envers lesdits Dominions, colonies, protectorats, possessions et territoires [illegible] pourront adhérer ultérieurement, au nom de tout Dominion jouis[illegible]

coming into force of the present Convention

[illegible] the prescribed form to the International Convention of Paris of the 20th March, 1883, for the protection of industrial property, revised at Washington on the 2nd of June, 1911, and the International Convention of Berne of the 9th September, 1886, for the protection of literary and artistic works, revised at Berlin on the 13th November, 1908, and the additional protocol of Berne of the 20th of March, 1914, relating to the protection of literary and artistic works.

(2) Within the same period to recognise and protect by effective legislation in accordance with the principles of the said Conventions, the industrial, literary and artistic property of the nationals of the other Contracting Powers.

Article 17

Special conventions between the countries interested shall determine all questions relative to the records, registers and schemes in connection with the duties relating to industrial, literary and artistic property and [illegible] communication by the Turkish offices to the offices of the States in favour of which territory is detached from Turkey

[illegible]

The Contracting Powers reserve the right of declaring at the time of the coming into force of the present Convention, that its provisions do not apply to the whole or part of their Dominions enjoying responsible government, of their colonies, protectorates, possessions or territories beyond the sea subject to their sovereignty or authority, and in this case Turkey will be released from her obligations under the present [illegible] Dominions, colonies, protectorates, possessions and territories

Moreover, the said Powers may [illegible] of every Dominion enjoying [illegible]

pays de protectorat, possession ou territoire soumis à leur souveraineté ou autorité, après avoir, à cet effet, donné un préavis de six mois.

Article 19

Les Puissances non signataires seront admises à adhérer à la présente Convention.

Cette adhésion sera signifiée, par la voie diplomatique, au Gouvernement de la République française et par celui-ci à tous les Etats signataires ou adhérents. Elle portera effet à dater du jour de la signification au Gouvernement français.

Article 20

La présente Convention sera ratifiée.

Les ratifications [illegible] sont déposées à Paris aussitôt que faire se pourra.

[illegible] les mêmes conditions que le Traité de paix [illegible]

[illegible] Plénipotentiaires susnommés ont signé la présente Convention.

[illegible] 19[illegible] en un seul exemplaire qui sera déposé dans les archives du Gouvernement de la République française [illegible] expédition authentique à chacune des Puissances signataires.

(Signatures et cachets.)

[illegible] subject to their sovereignty or authority after having given six months [illegible]

Article 19

Non-signatory Powers shall have the right to adhere to this Convention.

This adhesion shall be notified through the diplomatic channel to the Government of the French Republic and by that Government [illegible] signatories or have adhered. It shall take effect from the date of the notification to the French Government.

Article 20

The present Convention shall be ratified.

The ratifications shall be deposited at Paris as soon as possible.

[illegible] the same way as the Treaty of Peace [illegible]

In faith whereof, the above mentioned Plenipotentiaries have signed the present Convention

Done at Lausanne the 19[illegible] in one original, which will be deposited in the archives of the Government of the French Republic, which will transmit a ratified copy thereof to each of the Signatory Powers

(Signatures and seals.)

Document No. VII. of Final Act

PROJET DE DÉCLARATION RELATIVE AUX ARMÉNIENS

[illegible] Paix [illegible]

[illegible] faire l'oubli sur les événements qui ont troublé la paix en Orient.

Sont tombés d'accord pour [illegible]

I

[illegible] Turquie [illegible] devra être inquiété ou molesté en Turquie [illegible] en Grèce, sous aucun prétexte, en raison de sa conduite militaire ou politique ou en raison d'une [illegible] donnée à une Puissance étrangère signataire du Traité de Paix en date de [illegible] sants, entre le 1er août 1914 et le 20 novembre 1922.

DECLARATION RELATING TO AN AMNESTY

The Signatory Powers of the Treaty of Peace of even date, being [illegible] the events which have troubled the peace in the East to be forgotten, have agreed to make the following declaration

I

No inhabitant of Turkey, and reciprocally no inhabitant of Greece, shall be disturbed or molested in Turkey, and reciprocally in Greece, under any pretext whatsoever, on account of any military or political action taken by him, or any assistance of any kind given by him to a foreign Power signatory of the Treaty of Peace of even date, or to the nationals of such Power between 1st August, 1914, and 20th November, 1922

II

Aucun des habitants des territoires détachés de la Turquie en vertu dudit Traité de Paix ne devra également être inquiété ou molesté sous le prétexte de son attitude politique contraire à la Turquie ou à toute action de cette nature pendant la période du 1er août 1914 au 20 novembre 1922 ou en raison de la cessation de sa nationalité en vertu dudit Traité.

III

Amnistie pleine et entière sera respectivement accordée par le Gouvernement turc et par le Gouvernement hellénique pour tous crimes et délits commis durant la même période ou commandés par des mobiles politiques survenus pendant cette période.

IV.

Toutes condamnations prononcées pour les causes ci-dessus mentionnées et toutes poursuites en cours seront annulées.

V

Le Gouvernement turc, partageant le souci de pacification auquel [illegible] les Puissances, déclare son intention de ne pas contester les opérations effectuées sous les auspices des Alliés, pendant la période comprise entre le 30 octobre 1918 et le 30 novembre 1922, dans le but de rétablir les familles dispersées [illegible] légitimes en possession de leurs biens.

[illegible] vision des opérations susvisées en [illegible]

Les réclamations relatives aux [illegible] examinées par une Commission [illegible] saint Rouge et d'un Délégué de la Croix-Rouge. En cas de divergence, ces derniers choisiront un surarbitre; s'ils ne peuvent pas [illegible] Vous le Président de la Cour de Justice désignera par le Président de la Cour Permanente de Justice Internationale de La Haye.

Fait à Lausanne, le [illegible]

restera déposé dans les archives [illegible] et dont une expédition authentique sera remise à chacune des Puissances signataires.

[illegible]

II.

Similarly no inhabitant of the territories detached from Turkey under the said Treaty of Peace shall be disturbed or molested either on account of his political attitude against or in favour of Turkey during the period between 1st August, 1914, and 20th November, 1922, or of the determination of his nationality under the said Treaty.

III.

Full and complete amnesty shall be respectively granted by the Turkish Government and by the Greek Government for all crimes or offences committed during the same period which were evidently connected with the political events which have taken place during that period.

IV.

All sentences pronounced for the above reasons shall be annulled, and any proceedings already instituted shall be arrested.

V

The Turkish Government, sharing the desire for general pacification with which all the Powers are animated, declare their intention not to contest the measures carried out under the auspices of the Allied Powers during the period between 30th October, 1918, and 30th November, 1922, with the object of re-establishing families scattered owing to the war and of replacing legitimate proprietors in possession of their goods.

However, this intention does not exclude the possibility of any [illegible] measures in the event of a request to that effect being made by the interested parties. Claims relating [illegible] meeting persons and goods shall be examined by a Commission composed of a delegate of the Red Crescent and a delegate of the Red Cross. In the event of a dispute these delegates will choose an umpire; if they are unable to agree on that choice the umpire will be appointed by the President of the Permanent Court of International Justice of The Hague.

[illegible] in a single copy which will remain deposited in the archives of the Government of the French Republic and of which an authenticated copy shall be forwarded to each of the Signatory [illegible]

Document No. VIII. of Final Act.

CONVENTION CONCERNANT L'ÉCHANGE DES POPULATIONS GRECQUES ET TURQUES

Signée à Lausanne le 30 janvier 1923.

Le Gouvernement de la Grande Assemblée Nationale de la Turquie et le Gouvernement hellénique sont convenus des dispositions suivantes:

Article 1.

Il sera procédé dès le 1er mai 1923 à l'échange obligatoire des ressortissants turcs de religion grecque orthodoxe établis sur les territoires turcs et des ressortissants grecs de religion musulmane établis sur les territoires grecs.

Ces personnes ne pourront revenir en Turquie ou en Grèce, respectivement, sans l'autorisation du Gouvernement turc ou respectivement du Gouvernement hellénique.

Article 2

Ne seront pas compris dans l'échange prévu à l'article 1er

(a) les habitants grecs de Constantinople,

(b) les habitants musulmans de la Thrace occidentale.

Seront considérés comme habitants de Constantinople tous les Grecs déjà établis avant le 30 octobre 1918 dans les limites des circonscriptions de la Préfecture de la Ville de Constantinople, telles qu'elles sont délimitées par la loi de 1912.

Seront considérés comme habitants musulmans de la Thrace occidentale tous les musulmans établis dans la région à l'Est de la frontière [illegible] fixée par le Traité de Lausanne.

Article 3

Les Grecs et les musulmans ayant déjà quitté [illegible] octobre 1912, [illegible] leurs habitants grecs et turcs [illegible] échangés, [illegible] comme [illegible] prévu dans l'article 1er.

L'expression "émigrant" dans [illegible] désignera [illegible] musulmans devant émigrer ou ayant émigré depuis le 18 octobre 1912.

Article 4

[illegible] dont les familles ont déjà quitté le territoire turc et qui sont actuellement retenus en Turquie.

[illegible]

CONVENTION CONCERNING THE EXCHANGE OF GREEK AND TURKISH POPULATIONS

Signed at Lausanne the 30th of January 1923.

The Government of the Grand National Assembly of Turkey and the Greek Government have agreed upon the following provisions:

Article 1.

As from 1st May, 1923, there shall take place a compulsory exchange of Turkish nationals of the Greek Orthodox religion established in Turkish territory, and of Greek nationals of the Moslem religion established in Greek territory.

These persons shall not return to live in Turkey or Greece respectively without the authorisation of the Turkish Government or of the Greek Government respectively.

Article 2

The following persons shall not be included in the exchange provided for in Article 1:

(a) the Greek inhabitants of Constantinople,

(b) the Moslem inhabitants of Western Thrace.

All Greeks who were already established before 30th October, 1918, within the areas under the Prefecture of the City of Constantinople, as defined by the law of 1912 shall be considered as Greek inhabitants of Constantinople.

All Moslems established in the region to the east of the frontier line laid down in 1913 by the Treaty of Bucharest shall be considered as Moslem inhabitants of Western Thrace.

Article 3

Those Greeks and Moslems who have already, and since 18th October, 1912, left the territories of the Greek and Turkish inhabitants of which are to be respectively exchanged, shall be considered as included in the exchange [illegible]

The expression "emigrant" in the present Convention includes all physical and juridical persons who have been obliged to emigrate or have emigrated since [illegible]

Article 4

All able-bodied men belonging [illegible] families have already left Turkish territory, and who are now detained in Turkey, shall constitute [illegible]

constitueront le premier contingent de Grecs envoyés en Grèce conformément à la présente Convention.

Article 5.

Sous réserve des stipulations des articles 9 et 10 de la présente Convention, les droits de propriété et créances des Grecs en Turquie et des musulmans de la Grèce par suite de l'échange à effectuer en vertu de la présente Convention

Article 6.

Il ne pourra être apporté aucun obstacle, pour quelque cause que ce soit, au départ des personnes appartenant aux populations à échanger, lorsque celles-ci auront fait l'objet d'une condamnation pénale non encore définitive ou de poursuites pénales, ou d'une condamnation non encore définitive ou de poursuite pénale contre un émigrant, ce dernier sera livré, par les autorités du pays d'émigration, aux autorités du pays où il se rend, afin qu'il purge sa peine ou qu'il soit jugé.

Article 7.

Les émigrés perdront la nationalité du pays qu'ils abandonnent, et ils acquerront celle du pays de destination dès leur arrivée

Les émigrés qui auraient déjà quitté l'un ou l'autre des deux pays et qui n'auraient pas encore acquis la nationalité de leur nouveau pays acquerront cette nationalité à la date de la signature de la présente Convention

Article 8.

Les émigrants auront droit d'emporter avec eux ou de faire transporter

Il sera perçu sur les objets ainsi emportés ou transportés aucun droit, soit de sortie, soit d'entrée, ou toute autre taxe.

De même, les membres de chaque communauté auront le droit d'emporter ou de faire transporter sans payer aucun droit ni taxe, les meubles, mobiliers, archives, écoles, hôpitaux, sociétés, fondations pieuses et personnes morales, ou autres fondations de quelque nature que ce soit), qui appartiennent à la communauté dans les États contractants en vertu de la présente Convention, et qui auront à quitter le territoire de l'un de ces États pour s'établir dans le pays de l'autre communauté.

Les plus grandes facilités de transport seront données pour

the first instalment of Greeks sent to Greece in accordance with the present Convention.

Article 5.

Subject to the provisions of Articles 9 and 10 of the present Convention, the rights of property and monetary assets of Greeks in Turkey or Moslems in Greece shall not be prejudiced in consequence of the exchange to be carried out under the present Convention.

Article 6.

No obstacle may be placed for any reason whatever in the way of the departure of a person belonging to the populations which are to be exchanged. In the event of an emigrant having received a definite sentence of imprisonment, or a sentence which is not yet definitive, or of his being the object of criminal proceedings he shall be handed over by the authorities of the prosecuting country to the authorities of the country whither he is going, in order that he may serve his sentence or be brought to trial

Article 7.

The emigrants will lose the nationality of the country which they are leaving, and will acquire the nationality of the country of their destination, upon their arrival in the territory of the latter country.

Such emigrants as have already left one or other of the two countries and have not yet acquired their new nationality, shall acquire that nationality on the date of the signature of the present Convention.

Article 8.

Emigrants shall be free to take away with them or to arrange for the transport of their movable property of every kind, without being liable on this account to the payment of any export or import duty or any other tax.

Similarly, the members of each community (including the personnel of the pious foundations, medressés, churches, convents, schools, hospitals, societies, associations and juridical persons, or other foundations of any nature whatever) which is to leave the territory of one of the contracting States under the present Convention, shall have the right to take away freely, or to arrange for the transport of the movable property belonging to their communities

The fullest facilities for transport shall be provided by the

autorités des deux pays, sur la recommandation de la Commission mixte prévue dans l'article 11.

Les émigrants qui ne pourraient pas emporter tout ou une partie de leurs biens meubles pourront les laisser sur place. Dans ce cas, les autorités locales seront tenues d'établir contradictoirement avec l'émigrant l'inventaire et la valeur des biens meubles laissés par lui. Les procès-verbaux contenant l'inventaire et la valeur des biens meubles laissés par l'émigrant seront dressés en quatre exemplaires, dont l'un sera conservé par les autorités locales, le second sera remis à la Commission mixte prévue à l'article 11 pour servir de base à la liquidation prévue à l'article 9, le troisième exemplaire sera remis au Gouvernement du pays d'immigration et le quatrième à l'émigrant

Article 9.

Les biens immobiliers, ruraux ou urbains, appartenant aux émigrants, aux communautés visées à l'article 8, ainsi que les biens meubles laissés par ces émigrants ou communautés, seront liquidés, conformément aux dispositions ci-après, par la Commission mixte prévue à l'article 11.

Les biens situés dans les régions soumises à l'échange obligatoire et appartenant aux institutions religieuses ou de bienfaisance des communautés établies dans une région non soumise à l'échange, devront également être liquidés dans les mêmes conditions.

Article 10.

La liquidation des biens mobiliers et immobiliers appartenant aux personnes ayant déjà quitté les territoires des Hautes Parties contractantes et considérées en vertu de l'article 3 de la présente Convention comme rentrant dans l'échange des populations, sera effectuée conformément à l'article 9 et indépendamment de toutes les mesures de quelque caractère que ce soit qui, conformément aux lois établies et aux règlements de toute nature édictés depuis les traités de 1912 en Grèce et en Turquie ou de toute autre manière, ont eu pour résultat une restriction quelconque du droit de propriété sur ces biens, telles que confiscation, vente forcée, etc. Dans le cas où des biens visés au présent article ainsi qu'à l'article 9 auraient été frappés d'une mesure de cette nature, leur valeur sera

authorities of the two countries, upon the recommendation of the Mixed Commission provided for in Article 11.

Emigrants who may not be able to take away all or part of their movable property can leave it behind. In that event, the local authorities shall be required to draw up, the emigrant in question being given an opportunity to be heard, an inventory and valuation of the property left by him Procès-verbaux containing the inventory and the valuation of the movable property left by the emigrant shall be drawn up in four copies, one of which shall be kept by the local authorities, the second transmitted to the Mixed Commission provided for in Article 11 to serve as the basis for the liquidation provided for by Article 9, the third shall be handed to the Government of the country to which the emigrant is going, and the fourth to the emigrant himself.

Article 9.

Immovable property, whether rural or urban, belonging to emigrants, or to the communities mentioned in Article 8, and the movable property left by these emigrants or communities, shall be liquidated in accordance with the following provisions by the Mixed Commission provided for in Article 11

Property situated in the districts to which the compulsory exchange applies and belonging to religious or benevolent institutions of the communities established in a district to which the exchange does not apply, shall likewise be liquidated under the same conditions.

Article 10.

The movable and immovable property belonging to persons who have already left the territory of the High Contracting Parties and are considered, in accordance with Article 3 of the present Convention, as being included in the exchange of populations, shall be liquidated in accordance with Article 9. This liquidation shall take place independently of all measures of any kind whatever, which, under the laws passed and the regulations of any kind made in Greece and in Turkey since 18th October, 1912, or in any other way, have resulted in any restriction on rights of ownership over the property in question, such as confiscation, forced sale, etc. In the event of the property mentioned in this Article or in Article 9 having been submitted to a measure of this kind, its

fixée par la Commission prévue à l'article 11, comme si les mesures en question n'avaient pas été appliquées.

En ce qui concerne les biens expropriés, la Commission Mixte procédera à une nouvelle évaluation de ces biens expropriés depuis le 18 octobre 1912, qui appartenaient aux personnes soumises à l'échange dans les deux pays et qui sont situés dans les territoires soumis à l'échange. La Commission fixera en faveur des propriétaires une compensation qui réparera le préjudice qu'elle constatera. Le montant de cette compensation sera porté au crédit de ces propriétaires et au débit du Gouvernement sur le territoire duquel se trouvent les immeubles expropriés.

A l'égard des personnes visées aux articles 8 et 9 qui n'auront pas touché le revenu des biens de la propriété desquels elles auraient été privées d'une manière ou d'une autre, la restitution de la valeur de ces revenus leur sera assurée sur la base du rendement moyen d'avant guerre, suivant les modalités à fixer par la Commission Mixte.

En procédant à la liquidation des biens Wakoufs en Grèce et des droits et intérêts en découlant, ainsi que des fondations analogues appartenant aux Grecs en Turquie, la Commission Mixte prévue à l'article 11 s'inspirera des principes consacrés dans les Traités antérieurs, dans le but de faire valoir pleinement les droits et intérêts de ces fondations et les personnes qui s'y sont intéressées.

La Commission Mixte prévue à l'article 11 sera chargée d'appliquer ces stipulations.

Article 11.

Dans un délai d'un mois à partir de l'entrée en vigueur de la présente Convention, il sera créé une Commission Mixte résidant en Turquie ou en Grèce et composée de quatre membres, dont chacune des Hautes Parties contractantes et de trois membres choisis par le Conseil de la Société des Nations parmi les ressortissants des Puissances n'ayant pas participé à la guerre de 1914-1918. La présidence de la Commission sera assumée à tour de rôle par chacun de ces trois membres.

La Commission Mixte aura le droit de constituer, dans les

value shall be fixed by the Commission provided for in Article 11, as if the measures in question had not been applied.

As regards expropriated property, the Mixed Commission shall undertake a fresh valuation of such property, if it has been expropriated since 18th October, 1912, having previously belonged to persons liable to the exchange of populations in the two countries, and is situated in territories to which the exchange applies. The Commission shall fix for the benefit of the owners such compensation as will repair the injury which the Commission has ascertained. The total amount of this compensation shall be carried to the credit of these owners and to the debit of the Government on whose territory the expropriated property is situated.

In the event of any persons mentioned in Articles 8 and 9 not having received the income from property, the enjoyment of which they have lost in one way or another, the restoration of the amount of this income shall be guaranteed to them on the basis of the average yield of the property before the war, and in accordance with the methods to be laid down by the Mixed Commission.

The Mixed Commission provided for in Article 11, when proceeding to the liquidation of Wakf property in Greece and of the rights and interests connected therewith, and to the liquidation of similar foundations belonging to Greeks in Turkey, shall follow the principles laid down in previous Treaties with a view to fully safeguarding the rights and interests of these foundations and of the individuals interested in them.

The Mixed Commission provided for in Article 11 shall be entrusted with the duty of executing these provisions.

Article 11.

Within one month from the coming into force of the present Convention a Mixed Commission shall be set up in Turkey or in Greece consisting of four members representing each of the High Contracting Parties, and of three members chosen by the Council of the League of Nations from among nationals of Powers which did not take part in the war of 1914-1918. The Presidency of the Commission shall be exercised in turn by each of these three neutral members.

The Mixed Commission shall have the right to set up, in such

localités où il lui paraîtra nécessaire, des Sous-Commissions travaillant sous ses ordres, et composée chacune d'un membre turc, d'un membre grec, et d'un Président neutre qui sera désigné par la Commission Mixte. La Commission Mixte déterminera les pouvoirs à déléguer aux Sous-Commissions.

Article 12.

La Commission Mixte aura pour attributions de surveiller et faciliter l'émigration prévue par la présente Convention et de procéder à la liquidation des biens mobiliers et immobiliers et prévue aux articles 9 et 10.

Elle fixera les modalités de l'émigration et celles de la liquidation ci-dessus visée.

D'une façon générale, la Commission Mixte aura tous pouvoirs de prendre les mesures que nécessitera l'exécution de la présente Convention et de décider toutes les questions auxquelles cette Convention pourrait donner lieu.

Les décisions de la Commission Mixte seront prises à la majorité des voix.

Toutes les contestations relatives aux biens, droits et intérêts à liquider seront réglées définitivement par elle.

Article 13.

La Commission Mixte aura tout pouvoir pour faire procéder à l'estimation des biens mobiliers et immobiliers qui doivent être liquidés en vertu de la présente Convention, les intéressés ayant entendus ou ayant été dûment convoqués pour être entendus.

La base de l'estimation des biens qui doivent être liquidés, sera la valeur de ces biens en monnaie d'or.

Article 14.

La Commission remettra au propriétaire intéressé une déclaration constatant la somme qui lui est due du chef des biens dont il a été dépossédé, bien qui resteront à la disposition du Gouvernement sur le territoire duquel ils sont situés.

Les montants dus sur la base de ces déclarations constituent une dette du Gouvernement du pays où la liquidation aura eu lieu envers le Gouvernement dont relève l'émigrant. Celui-ci devra en principe recevoir, dans le pays où il émigre, en représentation des sommes qui lui sont dues, des biens d'égale valeur et de même

places as it may appear to them necessary, Sub-Commissions working under its order. Each such Sub-Commission shall consist of a Turkish member, a Greek member and a neutral President to be designated by the Mixed Commission. The Mixed Commission shall decide the powers to be delegated to the Sub Commission.

Article 12.

The duties of the Mixed Commission shall be to supervise and facilitate the emigration provided for in the present Convention, and to carry out the liquidation of the movable and immovable property for which provision is made in Articles 9 and 10.

The Commission shall settle the methods to be followed as regards the emigration and liquidation mentioned above.

In a general way the Mixed Commission shall have full power to take the measures necessitated by the execution of the present Convention and to decide all questions to which this Convention may give rise.

The decisions of the Mixed Commission shall be taken by a majority.

All disputes relating to property, rights and interests which are to be liquidated shall be settled definitely by the Commission.

Article 13.

The Mixed Commission shall have full power to cause the valuation to be made of the movable and immovable property which is to be liquidated under the present Convention, the interested parties being given a hearing or being duly summoned so that they may be heard.

The basis for the valuation of the property to be liquidated shall be the value of the property in gold currency.

Article 14.

The Commission shall transmit to the owner concerned a declaration stating the sum due to him in respect of the property of which he has been dispossessed, and such property shall remain at the disposal of the government on whose territory it is situated.

The total sums due on the basis of these declarations shall constitute a government debt from the country where the liquidation takes place to the government of the country to which the emigrant belongs. The emigrant shall in principle be entitled to receive in the country to which he emigrates, as representing the

nature que ceux qu'il aura abandonnés.

Tous les six mois, on établira un compte des sommes dues par les Gouvernements respectifs sur la base des déclarations émises comme ci-dessus.

A la liquidation finale, s'il y a équivalence entre les montants respectivement dus, les comptes y relatifs seront compensés. Si l'un des Gouvernements reste débiteur envers l'autre après compensation, le solde débiteur sera payé au comptant. Si le Gouvernement débiteur demande des délais pour ce paiement, la Commission pourra les lui accorder, pourvu que la somme due soit payée au maximum dans trois annuités. La Commission fixera les intérêts à payer pendant ces délais.

Si la somme à payer est assez importante et nécessite des délais plus longs, le Gouvernement débiteur payera au comptant une somme à déterminer par la Commission Mixte jusqu'à concurrence de 20 du montant dû et émettra pour le solde des titres d'emprunt portant un intérêt à fixer par la Commission Mixte, amortissable dans un délai maximum de 20 ans. Le Gouvernement débiteur affectera au service de cet emprunt des gages agréés par la Commission, gages qui seront gérés et dont les revenus seront encaissés par la Commission Internationale en Grèce et par le Conseil de la Dette Publique à Constantinople. A défaut d'accord sur ces gages, il appartiendra au Conseil de la Société des Nations de fixer ceux-ci.

Article 15

En vue de faciliter l'émigration, des fonds seront avancés à la Commission Mixte par les Etats intéressés, dans les conditions fixées par ladite Commission.

Article 16

Les Gouvernements de la Turquie et de la Grèce se mettront d'accord avec la Commission Mixte prévue à l'article 11 sur toutes les questions relatives aux notifications à faire aux personnes devant quitter leurs territoires en vertu de la présente Convention et aux ports sur lesquels ces personnes devront se diriger pour être transportées à leurs pays de destination.

sums due to him, property of a value equal to and of the same nature as that which he has left behind.

Once every six months an account shall be drawn up of the sums due by the respective governments on the basis of the declarations as above.

When the liquidation is completed, if the sums of money due to both sides correspond, the accounts relating thereto shall be balanced. If a sum remains due from one of the governments to the other government after a balance has been struck, the debit balance shall be paid in cash. If the debtor government requests a postponement in making this payment, the Commission may grant such postponement, provided that the sum due be paid in three annuities at most. The Commission shall fix the interest to be paid during the period of postponement.

If the sum to be paid is fairly large and requires longer postponement, the debtor Government shall pay in cash a sum to be fixed by the Mixed Commission, up to a maximum of 20 per cent. of the total due, and shall issue in respect of the balance loan certificates bearing such interest as the Mixed Commission may fix, to be paid off within 20 years at most. The debtor Government shall assign to the service of these loans pledges approved by the Commission, which shall be administered and of which the revenues shall be encashed by the International Commission in Greece and by the Council of the Public Debt at Constantinople. In the absence of agreement in regard to these pledges, they shall be selected by the Council of the League of Nations.

Article 15

With a view to facilitating emigration, funds shall be advanced to the Mixed Commission by the States concerned, under conditions laid down by the said Commission.

Article 16

The Turkish and Greek Governments shall come to an agreement with the Mixed Commission provided for in Article 11 in regard to all questions concerning the notification to be made to persons who are to leave the territory of Turkey and Greece under the present Convention, and concerning the ports to which these persons are to go for the purpose of being transported to the country of their destination.

Les Hautes Parties Contractantes s'engagent mutuellement à ce qu'aucune pression directe ou indirecte ne soit exercée sur les populations qui doivent être échangées pour leur faire quitter leurs foyers ou se dessaisir de leurs biens avant la date fixée pour leur départ. Elles s'engagent également à ne soumettre les émigrants, ayant quitté ou qui doivent quitter le pays, à aucun impôt ou taxe extraordinaire. Aucune entrave ne sera apportée au libre exercice par les habitants des régions exceptées de l'échange en vertu de l'article 2, de leur droit d'y rester ou d'y rentrer et de jouir librement de leurs libertés et de leurs droits de propriété en Turquie et en Grèce. Cette disposition ne sera pas invoquée comme motif pour empêcher la libre aliénation des biens appartenant aux habitants desdites régions exceptées de l'échange et le départ volontaire de ceux de ces habitants qui désirent quitter la Turquie ou la Grèce.

Article 17.

Les frais d'entretien et de fonctionnement de la Commission Mixte et de ses organes seront supportés par les Gouvernements intéressés dans des proportions à déterminer par la Commission.

Article 18.

Les Hautes Parties Contractantes s'engagent à apporter à leur législation respective les modifications qui seraient nécessaires pour assurer l'exécution de la présente Convention.

Article 19

La présente Convention aura même force et valeur, au regard des Hautes Parties ici contractantes, que si elle figurait dans le Traité de paix qui sera conclu avec la Turquie. Elle entrera en vigueur immédiatement après la ratification dudit Traité par les deux Hautes Parties Contractantes.

En foi de quoi les Plénipotentiaires soussignés, dont les pleins pouvoir ont été respectivement reconnus en bonne et due forme, ont signé la présente Convention.

Fait à Lausanne, le trente janvier mil neuf cent vingt-trois, en triple exemplaire, dont un sera remis au Gouvernement hellénique et un au Gouvernement de la Grande Assemblée Nationale de Turquie et dont le troisième sera déposé aux archives du Gouvernement de

The High Contracting Parties undertake mutually that no pressure direct or indirect shall be exercised on the populations which are to be exchanged with a view to making them leave their homes or abandon their property before the date fixed for their departure. They likewise undertake to impose on the emigrants who have left or who are to leave the country no special taxes or dues. No obstacle shall be placed in the way of the inhabitants of the districts excepted from the exchange under Article 2 exercising freely their right to remain in or return to those districts and to enjoy to the full their liberties and rights of property in Turkey and in Greece. This provision shall not be invoked as a motive for preventing the free alienation of property belonging to inhabitants of the said regions which are excepted from the exchange, or the voluntary departure of those among these inhabitants who wish to leave Turkey or Greece.

Article 17

The expenses entailed by the maintenance and working of the Mixed Commission and of the organisations dependent on it shall be borne by the Governments concerned in proportions to be fixed by the Commission.

Article 18.

The High Contracting Parties undertake to introduce in their respective laws such modifications as may be necessary with a view to ensuring the execution of the present Convention.

Article 19

The present Convention shall have the same force and effect as between the High Contracting Parties as if it formed part of the Treaty of Peace to be concluded with Turkey. It shall come into force immediately after the ratification of the said Treaty by the two High Contracting Parties.

In faith whereof, the undersigned Plenipotentiaries, whose respective full Powers have been found in good and due form, have signed the present Convention.

Done at Lausanne, the 30th January, 1923, in three copies, one of which shall be transmitted to the Greek Government, one to the Government of the Grand National Assembly of Turkey, and the third shall be deposited in the archives of the Government of the French Republic, which

la République française, qui en délivrera des copies authentiques aux autres Puissances signataires du Traité de Paix avec la Turquie.

(L.S.) E. K. Venizelos.
(L.S.) D. Caclamanos.
(L.S.) Ismet.
(L.S.) Dr. Riza Nour.
(L.S.) Hassan.

shall deliver certified copies to the other Powers signatory of the Treaty of Peace with Turkey.

Protocole.

Les Plénipotentiaires turcs soussignés, dûment autorisés, déclarent que, sans attendre la mise en vigueur de la Convention conclue avec la Grèce, en date de ce jour, relativement à l'échange des populations grecques et turques, et par dérogation à l'Article 1er de cette Convention, le Gouvernement turc, dès la signature du Traité de paix, libérera les hommes valides visés à l'Article 4 de ladite Convention et assurera leur départ.

Fait en triple exemplaire à Lausanne, le trente janvier mil neuf cent vingt-trois.

Ismet.
Dr. Riza Nour.
Hassan.

Protocol.

The undersigned Turkish Plenipotentiaries, duly authorised to that effect, declare that, without waiting for the coming into force of the Convention with Greece of even date, relating to the exchange of the Greek and Turkish populations, and by way to exception to Article 1 of that Convention, the Turkish Government, on the signature of the Treaty of Peace, will release the able-bodied men referred to in Article 4 of the said Convention, and will provide for their departure.

Done at Lausanne, the 30th January, 1923.

Document No. IX. of Final Act.

Accord entre la Grèce et la Turquie relatif à la Restitution des Otages Civils et à l'Échange des Prisonniers de Guerre.

Signé à Lausanne le 30 janvier 1923.

Les Plénipotentiaires turcs et grecs soussignés, munis de leurs pleins pouvoirs respectivement trouvés en bonne et due forme, sont convenus des dispositions suivantes à l'effet d'assurer la restitution réciproque des internés civils actuellement détenus en Grèce et en Turquie ainsi que l'échange des prisonniers de guerre.

CHAPITRE I

Internés Civils

Article 1.

Les otages et prisonniers civils turcs détenus par la Grèce seront rapatriés par les soins du Gouvernement hellénique. Celui-ci fera, en principe, transporter à Smyrne les personnes qui sont originaires d'Anatolie, et à Constantinople celles qui sont originaires de la Thrace.

Agreement between Greece and Turkey respecting the Reciprocal Restitution of Interned Civilians and the Exchange of Prisoners of War.

Signed at Lausanne the 30th of January, 1923.

The undersigned Turkish and Greek Plenipotentiaries, acting in accordance with their respective full powers, found in good and due form, have agreed as follows, with a view to ensuring the reciprocal restitution of interned civilians at present detained in Greece and in Turkey, and for the exchange of prisoners of war.

CHAPTER I.

Interned Civilians.

Article 1.

Turkish hostages and civilian prisoners at present detained in Greece will be repatriated by the Greek Government. The latter will in principle cause persons emanating from Anatolia to be transported to Smyrna and those emanating from Thrace to Constantinople.

La restitution, constatés à l'embarquement en Grèce, commencera en principe sept jours après la signature du présent Accord. Elle devra être achevée, savoir:

(*a*) dans un délai n'excédant pas deux semaines, en ce qui concerne les personnes figurant sur les listes fournies par le Gouvernement hellénique;

(*b*) dans le plus bref délai, en ce qui concerne les personnes qui doivent être recherchées et qui figurent sur les listes fournies par le Gouvernement turc.

Article 2.

Les otages et prisonniers civils hellènes qui seraient détenus par les Turcs seront rassemblés à Smyrne ou à Constantinople par les soins du Gouvernement turc de manière que leur rapatriement puisse avoir lieu, aussitôt après celui des otages civils turcs visés à l'alinéa (*a*) de l'article 1, et de manière que le rapatriement des personnes qui seraient à rechercher, puisse avoir lieu dans le plus bref délai possible.

Article 3.

Les listes de rapatriement, respectivement remises par le Gouvernement hellénique et le Gouvernement turc, seront ultérieurement complétées.

CHAPITRE II

Prisonniers de guerre.

Article 4.

Aussitôt que possible après la date à laquelle le Gouvernement hellénique aura restitué au Gouvernement turc les otages civils turcs visés à l'alinéa (*a*) de l'article 1, et dans un délai ne dépassant pas quinze jours à partir de cette date, la Grèce restituera à la Turquie et transportera à Smyrne, en une seule fois, la totalité des prisonniers de guerre qu'elle détient.

La Turquie restituera ensuite à la Grèce un nombre égal de prisonniers de guerre helléniques, officier pour officier, soldat pour soldat. Ces prisonniers de guerre seront rassemblés par le Gouvernement turc en temps voulu et dans les lieux appropriés, de façon qu'ils puissent être rapatriés par le voyage de retour des navires grecs ayant amené les prisonniers de guerre turcs.

Le reste des prisonniers de guerre hellèniques sera rapatrié par les soins de la Turquie dès la signature de la paix et dans un délai de trois semaines après cette signature.

The restitution of these persons, who shall be checked on their embarkation in Greece, shall in principle begin seven days after the signature of the present Agreement. The restitution will be completed as follows:—

(*a*) Within not more than two weeks, in so far as persons figuring on lists furnished by the Greek Government are concerned.

(*b*) With the least possible delay, in so far as persons who have to be sought and who figure on lists furnished by the Turkish Government, are concerned.

Article 2.

Greek hostages and civilian prisoners, who may be detained by the Turks, shall be collected at Smyrna or Constantinople by the Turkish Government, in such a manner that their repatriation may take place immediately after that of the Turkish civilian hostages mentioned in paragraph (*a*) of Article 1, and in such a manner that the repatriation of persons who have to be sought may take place with the least possible delay.

Article 3.

The lists of persons to be repatriated, which have been furnished by the Turkish and Greek Government respectively, shall be completed later.

CHAPTER II

Prisoners of War.

Article 4.

As soon as possible after the date on which the Greek Government shall have restored to the Turkish Government the Turkish civilian hostages mentioned in paragraph (*a*) of Article 1, and within a period not exceeding 15 days from that date, Greece shall restore to Turkey and shall transport to Smyrna simultaneously all the Turkish prisoners of war detained by her.

Turkey shall thereupon restore to Greece an equivalent number of Greek prisoners of war, officer for officer, soldier for soldier. These prisoners of war will be collected by the Turkish Government at such time and in such places, that they may be repatriated on the return voyage of the Greek vessels which brought the Turkish prisoners of war.

The remainder of the Greek prisoners of war shall be repatriated by the Turkish Government immediately after the signature of Peace and within three weeks from the date of that signature.

Article 5.

Dans un but d'apaisement, les Gouvernements hellénique et turc conviennent d'étendre respectivement les bienfaits de l'amnistie à tous les prisonniers de guerre et internés civils qu'ils détiennent, aussi bien à ceux qui sont passibles ou frappés de peines pour crimes et délits de droit commun qu'à ceux qui sont passibles ou frappés de peine pour fautes contre la discipline ; les deux Gouvernements sont d'accord pour les rapatrier indistinctement sans tenir compte de l'achèvement de la peine ou de la procédure engagée.

CHAPITRE III.

Commission d'Exécution.

Article 6.

Une commission internationale composée de trois représentants des Sociétés de la Croix Rouge, ressortissants à des Etats n'ayant pas pris part à la guerre de 1914-1918, et un représentant de chacun des Gouvernements hellénique et turc, sera chargée de diriger les opérations concernant la restitution des otages et prisonniers civils ainsi que l'échange des prisonniers de guerre dans les conditions prévues aux chapitres I et II ci-dessus. Cette commission fixera les modalités de ces opérations et en surveillera l'exécution. Elle sera chargée notamment de :

(a) recevoir des autorités helléniques et turques, aux points d'embarquement, les otages et prisonniers à rapatrier, à vérifier leur nombre et leur identité, à effectuer la remise de ces otages et prisonniers aux autorités turques et helléniques aux points de débarquement ;

(b) régler de concert avec les Gouvernements hellénique et turc le transport, à partir des ports d'embarquement, des otages et prisonniers turcs et helléniques à rapatrier. Le Gouvernement hellénique fournira à cet effet les moyens de transport maritime nécessaires ;

(c) procéder avec la collaboration des Gouvernements et autorités helléniques et turques, à toutes recherches et enquêtes nécessaires pour établir le sort des otages civils et prisonniers de guerre réclamés par l'un ou l'autre Gouvernement et non remis.

Article 5.

With the object of allaying animosity, the Greek and Turkish Governments undertake respectively to extend the benefit of the amnesty to all prisoners of war and interned civilians detained by them, both those who are awaiting trial or undergoing sentence for crimes or offences against the ordinary law, and those who are awaiting trial or undergoing sentence for offences against discipline; the two Governments agree to repatriate such persons without distinction and irrespective of the completion of their sentence, or of the proceedings pending against them.

CHAPTER III.

Commission for the Execution of this Agreement.

Article 6.

An International Commission comprising three representatives of the Red Cross Societies, nationals of States not having taken part in the war of 1914-1918, and a representative of the Greek and Turkish Governments respectively, shall be entrusted with the task of directing the operations connected with the restitution of the hostages and civilian prisoners and the exchange of prisoners of war, under the conditions prescribed in Chapters I and II above. This Commission shall settle the methods by which these operations shall be effected, and shall supervise the execution thereof. The Commission shall be in particular entrusted with the duty of:

(a) receiving from the Greek and Turkish Authorities at the ports of embarkation the hostages and prisoners to be repatriated, verifying their number and identity, effecting the surrender of those hostages and prisoners to the Turkish and Greek Authorities at the points of disembarkment;

(b) settling in accordance with the Greek and Turkish Governments the transport from the points of embarkation of the Turkish and Greek hostages and prisoners to be repatriated. The Greek Government shall furnish with this object the necessary means of maritime transport;

(c) proceeding with the collaboration of the Greek and Turkish Governments and Authorities with all researches and enquiries necessary to establish the fate of civilian hostages and of prisoners of war claimed by one or other Government and not handed over.

Les Gouvernements intéressés s'engagent à prêter dans ce but tout leur concours à la Commission et à lui donner toutes facilités.

Article 7.

Les frais d'entretien et de fonctionnement de la commission seront par parts égales à la charge des Gouvernements hellénique et turc.

Le présent Accord entrera immédiatement en vigueur.

Fait en triple exemplaire à Lausanne le trente janvier mil neuf cent vingt trois.

(L.S.) E. K. Venizelos.
(L.S.) D. Caclamanos.
(L.S.) Ismet.
(L.S.) Dr. Riza Nour.
(L.S.) Hassan.

The Governments concerned undertake to furnish with this object all assistance to the Commission and to grant it all facilities.

Article 7.

The expenses of the maintenance and of the work of the Commission shall be borne in equal parts by the Greek and Turkish Governments.

The present Agreement will enter into force at once.

Done in triplicate at Lausanne the 30th day of January of 1923.

List of Maps (see end of Volume).

Map No. 1.—Turkey in Europe.
Map No. 2.—The Islands.
Map No. 3.—Gallipoli Peninsula.
Map of Demilitarised Zones of the Straits.
Map of Demilitarised Zone in Thrace.

[E 1245/1/44] No. 173

The Marquess of Crewe to the Marquess Curzon of Kedleston.—(Received February 1.)

(No. 240.)

His Majesty's Ambassador at Paris presents his compliments to His Majesty's Principal Secretary of State for Foreign Affairs, and has the honour to transmit herewith copy of a note from M. Poincaré dated the 30th January, 1923, respecting the attitude of the French Government towards the conclusion of peace with Turkey.

Paris, January 31, 1923.

Enclosure in No. 173.

M. Poincaré to the Marquess of Crewe.

M. l'Ambassadeur, *Paris, le* 30 *janvier* 1923.

COMME suite à notre entretien du 27 janvier, je crois utile de préciser le point de vue du Gouvernement français au sujet des négociations avec la Turquie en vue du rétablissement de la paix en Orient.

Votre Excellence connaît les conditions dans lesquelles se trouvent placés aujourd'hui, à cet égard, les Gouvernements alliés.

Depuis la signature du Traité de Sèvres, qui n'a pu entrer en vigueur, une guerre particulière a éclaté entre les Grecs et les Turcs alors que, sous le régime de l'armistice de Moudros, les hostilités entre les Puissances alliées et la Turquie avaient pris fin. Il faut noter que le traité signé à Sèvres était destiné à rétablir la paix entre les Alliés et la Turquie dans les mêmes conditions où elle avait été rétablie entre les Alliés d'une part, et l'Allemagne, l'Autriche, la Hongrie et la Bulgarie d'autre part. Ce traité, négocié entre les Alliés, devait être imposé à la Turquie comme les Traités de Versailles, de Saint-Germain, de Trianon et de Neuilly l'avaient été aux autres pays ex-ennemis.

Le Gouvernement français n'a cessé de blâmer la politique aventureuse de la Grèce, dont les ambitions agressives, en exaltant le patriotisme des Turcs, ont eu pour résultat de renforcer l'autorité et le prestige du Gouvernement d'Angora, considéré comme le défenseur de l'intégrité nationale contre l'ennemi héréditaire ; il a, par conséquent, déploré l'appui que cette politique a reçu du Gouvernement britannique ; cet appui a été donné, d'une part publiquement, par Mr. Lloyd George, alors Premier Ministre, dans ses discours, notamment dans celui qui déclencha la phase finale de la campagne en exaspérant les Turcs, d'autre part par la voie diplomatique, ainsi qu'en témoigne la correspondance de Lord Curzon avec M. Goumaris, publiée récemment.

Bien qu'il ait désapprouvé l'action de la Grèce, le Gouvernement français, désireux de maintenir l'unité d'efforts des trois grandes Puissances alliées, en vue de la paix, n'a cessé de poursuivre la conclusion de cette paix, aux côtés de l'Angleterre et de l'Italie, et c'est en plein accord que les trois Gouvernements ont, à diverses reprises, à Londres en 1921, à Paris en mars 1922, à Paris encore en septembre 1922, fait des tentatives pour amener les Turcs à négocier.

A Lausanne encore, l'union des trois Gouvernements alliés s'est affirmée dans une collaboration cordiale, et le Gouvernement français a fait ce qui dépendait de lui pour arriver à la signature de la paix. Si la conférence devait échouer, le Gouvernement français pourrait-il écarter délibérément toute idée de reprendre de son côté des négociations dont les intérêts de premier ordre lui font une nécessité ? Il a donné tant de preuves de son désir d'aboutir à une solution commune, qu'il a conscience d'avoir fait ce qui dépendait de lui, conformément à ses engagements, pour maintenir la solidarité des trois Puissances.

Par l'accord du 4 septembre 1914, les Gouvernements alliés s'étaient engagés mutuellement à ne pas conclure d'accord séparé au cours de la guerre et à ne pas poser, au cours de la discussion des termes de la paix, séparément des conditions de paix sans accord préalable avec chacun des autres Alliés. Cet engagement a été tenu ; il était pris pour la durée de la guerre et pour le temps nécessaire aux négociations de paix.

En ce qui concerne la Turquie, ce temps est passé, bien que les efforts communs n'aient pas abouti au résultat désiré, et il serait déraisonnable de prétendre, si un traité de paix collectif n'était jamais conclu entre les Alliés et cette Puissance, qu'aucun traité particulier ne pourrait être signé avec elle par l'une quelconque des Puissances alliées.

La situation actuelle résulte bien moins de la guerre de 1914 que de la guerre gréco-turque qui a modifié à notre détriment les conditions dans lesquelles nous nous trouvions et créé un état de choses nouveau, qui n'est plus celui en vue duquel a été signé l'accord du 4 septembre 1914. Chaque jour qui passe aggrave ces conséquences.

S'il constatait l'impossibilité d'arriver à une paix commune, le Gouvernement de la République, pour sauvegarder les intérêts essentiels français qui se trouvent menacés du fait de la situation créée par la guerre gréco-turque, peut être amené à négocier séparément avec la Turquie. Il croit devoir, dès maintenant, se réserver ce droit, qu'il croit fondé.

Il ne le ferait pas, d'ailleurs, sans en aviser ses Alliés. Désireux, en particulier, de donner en cette circonstance, comme en toutes autres, un témoignage de l'amicale confiance dont sont empreints ses rapports avec le Cabinet de Londres, non seulement il informerait préalablement celui-ci, mais il le tiendrait au courant des pourparlers qui s'ensuivraient.

Je veux du reste fermement espérer que le Gouvernement français n'aura pas à envisager cette éventualité. Si même l'accord ne pouvait se faire à Lausanne, j'ai la conviction qu'il pourrait être poursuivi ailleurs. Et sans doute aurait-on plus de chance de réussir si, tenant compte des enseignements de la conférence actuelle, on évitait ces réunions où la solennité des débats et le nombre des participants favorisent les indiscrétions, donnent, malgré tous les efforts, un caractère de polémique aux discussions, d'ultimatum aux déclarations, et renforcent les intransigeances réciproques par le désir souvent inconscient qu'ont les plénipotentiaires de justifier leur attitude. En prenant le projet de traité élaboré à Lausanne comme base d'une négociation diplomatique, et en abordant cette négociation nouvelle avec une ferme volonté d'aboutir, je suis certain que les Gouvernements alliés pourraient encore agir en commun, avec des chances réelles de succès.

Veuillez agréer, &c.
R. POINCARÉ.

No. 174.

Mr. Henderson to the Marquess Curzon of Kedleston (Lausanne).—(Repeated to Foreign Office; Received February 1.)

(No. 59.)
(Telegraphic.) *Constantinople, January 29, 1923.*

FRENCH High Commissioner read to me to-day text of President of the Council's telegram to Mustapha Kemal Pasha, which was communicated to the latter by the French consul, Smyrna, on 27th January, as well as telegram from Colonel Mougin, who had similarly communicated it to Reouf Bey.

Judging from Mougin's telegram, President of the Council's appeal had met with somewhat discourteous reception by Reouf Bey, who referred to Franklin-Bouillon's assurances, for which he said there was nothing to show. He hinted that President of the Council's fine words did not amount to much more. He said that Grand National Assembly, even if it wished, had no power to accept judicial Capitulations. He took exception to various financial clauses of the proposed treaty, and accused French of serving capitalist interests. He also, of course, referred to Karagatch and Mosul as being points on which Turks could not make concessions, and observed that object of British was to detach French from Turks.

Finally, he complained of delay involved in asking Turkish delegates to bring treaty to Angora, and said that they had no need to leave Lausanne, as they had full powers and instructions.

Generally speaking, Reouf's declaration was depreciation of value of President of the Council's intervention, and French High Commissioner was clearly dissatisfied with it.

No. 175.

The Marquess Curzon of Kedleston to Mr. Lindsay.—(Received February 1.)

(No. 253.)
(Telegraphic.) *Lausanne, January 31, 1923.*

TWO incidents have occurred in last twenty-four hours which seem to me to throw a very serious light upon views and intentions of French Government in relation to settlement of Turkish question and to call for immediate and grave remonstrance at Paris. The first of these was appearance in press yesterday evening of astonishing communication sent by M. Poincaré on Monday to Angora, without previous reference either to His Majesty's Government or to Allied delegations here. In this communication M. Poincaré contemptuously brushed aside the labours on which we have been engaged for nearly three months at Lausanne, and, ignoring both solemn engagements as to Allied unity which he entered into with me at Paris on 18th November last and pledges as to common action which have been exchanged by Allied plenipotentiaries here, thought fit to announce to Angora and to the world, on very eve of presentation of treaty by the Allies, that it had no finality, that it simply marked a stage in discussions which have now been proceeding for so long, and that it might be replaced by further negotiations either here or elsewhere which would result in yet further concessions.

In the same note M. Poincaré, in flagrant violation of an agreement arrived at between principal Allied plenipotentiaries here, announced his willingness to leave entire French delegation at Lausanne to conduct these further negotiations and to make these further concessions. Indeed, his words seem to imply that they might be undertaken by French delegation independently of their allies and alone, thus ignoring not merely entire basis upon which we have been proceeding with his own explicit assent for the last three months, but manifest fact that it is neither for France nor for any individual Allied Power to promise or to make concessions at Lausanne or anywhere else on matters which equally concern remainder of Allies.

This communication would by itself have called for immediate notice by His Majesty's Government, involving as it does a breach of most definite pledges and understandings by which we have hitherto held ourselves bound and believed French Government to be bound also. But it has now been followed by a further communication from M. Poincaré to British Ambassador at Paris, in which, with reference to a recent representation made by the latter under instructions from me, M. Poincaré gives his opinion upon declaration signed at London by Allied Governments of Great

Britain, France, Italy and Japan on 30th November, 1915. By this declaration above-named Powers bound themselves solemnly not to conclude a separate peace in the course of war which had broken out in previous year. In view of possible failure of negotiations at Lausanne and extreme undesirability, if not worse, of independent transactions between Turkey and any single Power, it was not unnatural that His Majesty's Government should have called attention of French Government to its obligations and should have invited a renewal of former assurance.

It did not occur to me that any reply but one was possible. Nevertheless, to-day, very day on which treaty drawn up by Allied representatives at Lausanne was in the course of being presented to the Turks, I received with an astonishment that was only mitigated by my knowledge of message to Angora of yesterday, telegram from Paris containing M. Poincaré's reply to representations of His Majesty's Ambassador. This note contains remarks, not only offensive, but insulting to His Majesty's Government, and it gives a presentation of historical facts with which it is impossible to concur. With this part of document it will be necessary to deal at greater length in a despatch which may call for subsequent publication.

But outstanding feature of note is that it contains a formal repudiation by France of engagement entered into by her in common with other principal Allies in November 1915, and an expression of intention of French Government to negotiate separately with Turkey (with whom France, like Great Britain, is still at war) in order to safeguard French interests in cases where the Allies have been unable to conclude a common peace. Nor is this declaration of independence rendered any more acceptable by kindly expressed intention of French Government to inform British Cabinet in advance, as a proof of its friendly confidence, of any such breach of faith which it may have in contemplation.

If these two pronouncements on the part of M. Poincaré be taken in conjunction it appears impossible to doubt conclusions of which alone their form and their language admit; and it becomes, in my opinion, necessary to bring these, without any delay, in most formal manner to the notice of French Government. For the latter have, in this case, both publicly and officially claimed right to sever themselves from their allies, to violate their solemn engagements, and to enter upon an independent course of action in the interests of France alone, in solving Turkish problem.

It will be duty of Lord Crewe, in calling attention to these announcements, to point out that French Government must obviously have realised their necessary implications. If *Entente*, to which it has hitherto been believed that M. Poincaré attaches an importance not inferior to that which is felt by His Majesty's Government, and of continued recognition of which His Majesty's Government have lately given such conspicuous proof, is to be torn to shreds at Lausanne it can with difficulty exist elsewhere. If France is to throw over Great Britain in her dealings with Turkey she cannot expect to rely on British friendship and British support either in this or in any other field of action. In fact, a vista is opened of which it is hazardous to explore the recesses, and difficult to foresee the end. The French Government must be presumed to have calculated the inevitable consequences of its action.

It is not possible for M. Poincaré to justify his recent proceedings by minimising either their importance or their practical effect. At very moment when it was clear that Turks had recognised necessity of coming to terms because they could not afford to return to Angora without a Peace Treaty, when Ismet Pasha had full powers to sign, and when he was about to accept in all essential particulars Allied terms, M. Poincaré's sudden and apparently calculated intervention could have no other result than to encourage Turks to expect that they need only remain recalcitrant on any point to obtain official support of France, apart from and in opposition to the Powers who have hitherto stood by her side as faithful allies, and never more so than here.

Whether M. Poincaré's action will prove fatal or not next few days will show. But it is impossible to doubt that it has most gravely jeopardised chances of peace, and should Turks now definitely refuse terms elaborated with so much patience and in so liberal a spirit by the Allied delegations acting hitherto in complete concord, responsibility for this disaster and for its inevitable reaction on relations between Great Britain and France will rest entirely with French Government.

I submit to His Majesty's Government that British Ambassador should be instructed at once to make a formal representation to M. Poincaré in the sense of this telegram, and to read to him such portions of it as he may find necessary for the purpose.

No. 176.

The Marquess of Crewe to the Marquess Curzon of Kedleston.—(Received February 1.)

(No. 126.) By Bag.
(Telegraphic.) *Paris, January 31, 1923.*

MY telegram No. 121, last paragraph.

The full effect of the Lausanne bombshell did not make itself felt in this morning's Paris press, which continues to be hypnotised by the Ruhr. Marcel Ray, however, in the "Petit Journal," in an article inspired by Philippe Millet and "Pertinax," deeply deplores the terms of the French note to Angora, and considers that the English are completely justified in being astonished thereat, and in thinking that France seeks to make a separate arrangement with Turkey, and is even desirous of preventing the draft treaty being accepted by the latter.

P. Millet, in the "Paris-Midi," expresses lively fears lest the action of the French Government should prove to be the death-blow of the *Entente*. He asks whether it is wise to make an enemy of England at the very moment when the Ruhr affair is passing through its most critical phase. "Pertinax," in an unsigned article in the "Echo de Paris," also deplores French action, and declares that any idea of a separate peace between France and Turkey must be excluded, for such action might well bring France back to the dangerous days of 1898.

M. Gauvin writes a leading article in this evening's "Journal des Débats" entitled "La Faute suprême," in which he violently attacks M. Poincaré for his communication to the Turkish Government without previously consulting His Majesty's Government. M. Gauvin describes such action as extraordinary, contrary to all diplomatic usage, and likely to place France in a dangerous position. The effect produced in England and America would be deplorable, and the French Government, in the vain hope of conciliating the Turks and the Soviets, had risked the complete ruin of French policy. The Lausanne correspondent of the same journal condemns still more severely the action of the French Government, which he describes as absolutely inexplicable, unless a secret agreement between France and Turkey exists. He enquires whether the French Government really sought to prevent the success of the British policy of firmness, even though it defended French interests better than that policy of caresses and flattery which the French had unsuccessfully pursued with the Turks for two months past. It was clear that what Angora really sought at Lausanne was not peace with France, but with England. He urges the French delegation to recognise their past errors and to leave Lausanne with your Lordship.

The "Journal des Débats" draws attention to the fact that the only French newspaper which gave the substance of M. Poincaré's communication to Angora was last night's "Temps" (see last paragraph of my telegram No. 121), and expresses amazement at the methods of giving information practised at the Quai d'Orsay, which, it declares, seems to have completely lost all sense of decency in its diplomatic methods.

M. Herbette, in to-night's "Temps," recapitulates in stronger terms the arguments advanced by M. Poincaré in his note, of which the text was telegraphed to your Lordship in my telegram No. 122. He observes that M. Poincaré, in declaring his readiness to continue the negotiations, has well served the interests of his country and of peace; and maintains that the British delegation would be well advised not to leave Lausanne without signing.

No. 177.

Mr. Lindsay to the Marquess Curzon of Kedleston (Lausanne).

(No. 164.)
(Telegraphic.) *Foreign Office, February 1, 1923.*

YOUR telegram No. 252.

Following from Prime Minister:

"I have consulted several members of the Cabinet, and, in view of your representations, we are agreed for the present not to send General Harington the instructions

contained in our No. 155, and not to warn French and Italian Governments. We trust, however, that you will keep carefully in mind the views of the Cabinet, and that, in the event of anything happening at Lausanne which might affect the safety of the British forces at Constantinople, you will at once communicate with the Cabinet and not necessarily await a final break before doing so."

[E 1297/1/44] No. 178.

Lausanne Conference on Near Eastern Affairs.

(Strictly Confidential.)

TERRITORIAL AND MILITARY COMMISSION

Draft Minutes of the Twenty-first Meeting, January 23, 1923, at 11 A.M., under the presidency of Lord Curzon.—Received in Foreign Office, February 2.)

Present

BRITISH EMPIRE.	FRANCE.	ITALY.
The Marquess Curzon of Kedleston. Sir H. Rumbold.	M. Bompard.	Marquis Garroni. M. Montagna.
UNITED STATES OF AMERICA.	**JAPAN.**	**GREECE.**
Mr. Child. Admiral Bristol. Mr. Grew.	Baron Hayashi Mr. Otchiai.	M. Veniselos. M. Caclamanos.
ROUMANIA	**SERB-CROAT-SLOVENE STATE.**	**TURKEY.**
M. Diamandy.	M. Rakitch.	Ismet Pasha. Riza Nour Bey

Also present:

BRITISH EMPIRE.	FRANCE.	ITALY.
Sir Eyre Crowe. Mr. Malkin. Lieut.-Colonel Heywood. Dr. Clemow Mr. Nicolson Mr. Forbes Adam. Mr. Leeper Mr. McClure. Major Young Captain Ashley.	Admiral Lacaze M. Fromageot M. de Lacroix. M. Laporte. M. Bargeton M. de Percin. Lieut.-Colonel Courtin. M. Sanguinetti. Commandant de Lamoricière.	Admiral Chelotti. M. Arlotta. M. Guarriglia M. Ciamarra. M. Senni M. Salem. M. Guisi.
UNITED STATES OF AMERICA.	**JAPAN.**	**GREECE.**
Mr. Dwight. Mr. Amory. Mr. Heck.	Mr. Nagaoka Mr. Sato. Colonel Saigo Captain Tsuru Mr. Tani.	M. Michalopoulos. General Mazarakis. M. Politis. M. Dendramis.
ROUMANIA.	**SERB-CROAT-SLOVENE STATE.**	**TURKEY.**
M. Contzesco.	M. Georgevitch.	Moukhtar Bey. Munir Bey.

M. Massigli, *Secretary-General of the Conference.*

Secretaries.

BRITISH EMPIRE.	FRANCE.	ITALY.
Mr. Spring-Rice. Mr. Wicks.	M. Lagarde.	M. Indelli.
UNITED STATES OF AMERICA.	**JAPAN.**	**GREECE.**
Mr. Belin.	Mr. Hotta.	M. Collas.
	SERB-CROAT-SLOVENE STATE.	**TURKEY.**
	M. Milanovitch.	Rechid Safvet Bey.

Interpreter: M. Camerlynck.

LORD CURZON said that among the matters requiring to be laid down in the form of articles in the Treaty of Peace, which he hoped was about to be concluded, was the determination of the southern frontier of the Turkish dominions in Asia, *i.e.*, that between Syria and Irak. This question was to have come before the commission as far back as the 27th November, only a week after the opening of the conference; but on the evening of the 26th November Ismet Pasha had asked Lord Curzon to defer public discussion of the subject pending a private exchange of views between them. Lord Curzon had gladly acceded to this request. The exchange of views took place, and afterwards developed into an exchange of written notes which had been circulated to the principal Allied delegations. Unfortunately, this exchange of views and notes led to no result. The Turkish delegation retained unchanged their demand for the restoration of the Mosul Vilayet to Turkey, and Lord Curzon was compelled to reiterate his refusal. There was therefore no alternative but to lay the matter before the commission, so that both sides should have the chance of stating their respective cases to the conference and the world. Lord Curzon had told Ismet Pasha a month ago that this course would probably be necessary; and a few days since he had informed his Excellency, and also his French and Italian colleagues, that he proposed to discuss the matter at the commission on the present day. He therefore asked the Turkish delegation to state their case, after which he would give the British reply.

ISMET PASHA read the following statement:—

"The Mosul question has formed the object of both oral and written discussion between the Turkish and British delegations. I beg leave to review the arguments used by the two parties and the reasons for which Turkey cannot consent to the cession of the Vilayet of Mosul to another Power.

"These reasons are ethnographical, political, historical, geographical, economic and military.

"1. *Ethnographical Reasons.*

"The stationary population of the Mosul Vilayet amounts to 503,000 persons. The vilayet also contains nomad tribes—Kurdish, Turkish and Arab—amounting to about 170,000 people.

"These nomad tribes move from place to place according to the season, and at certain times of year they even leave the Vilayet of Mosul. It is therefore impossible to fix their numbers exactly. They pass the different seasons, according to their needs, in the districts of Bagdad, Nejef, Mosul, Zor, Diarbekir and even on the table-lands of Iran; that is why they cannot be regarded as really forming part of the population of the Mosul Vilayet.

"The 503,000 people who constitute the stationary population of this province consist, according to the latest Turkish official statistics, of:

	Kurds.	Turks.	Arabs.	Yezidi.	Non-Moslems.	Total.
Sanjak of Sulemanieh	92,800	5,400	5,210			103,800
,, Kerkuk	57,000	37,000	8,000			184,000
,, Mosul ..	104,000	43,960	28,000	18,000	41,000	216,000
Total population of the Vilayet of Mosul	263,800	116,960	43,210	18,000	41,000	503,000"

LORD CURZON hoped that Ismet Pasha would pardon him for interrupting for one moment. His Excellency appeared to be reading out the first written reply of the Turkish delegation to the first written statement of the British views—a voluminous document of some five pages of print. If Ismet Pasha proposed to read out the whole of that document, it would take up most of the morning; and he hoped that his Excellency might be willing to summarise it in a more concise form. He had no desire to interfere with his Excellency's speech, but merely to suggest that much time and trouble would be saved if the document, instead of being read, were circulated to the delegations.

ISMET PASHA said that the statement which he was about to make was as brief as possible. He continued:—

"This table shows (*a*) that the Arab element is insignificant in the sanjaks of Suleimanieh and Kerkuk; (*b*) that in the central sanjak of Mosul there are only 28,000 Arabs as against 137,000 Turks and Kurds; (*c*) that in the whole Vilayet of Mosul there are 410,790 Turks and Kurds as against 43,210 Arabs and 31,000 non-Moslems. More than four-fifths of the population of the vilayet thus consists of Turks and Kurds and less than one-fifth of Arabs and non-Moslems.

"This is the point over which the first Turco-British controversy arises.

"The British delegation not only contest the figures supplied by us, but further declare (*a*) that the Turkish Government has never been able to draw up exact statistics regarding the population of the Vilayet of Mosul; (*b*) that, on the other hand, British officers and officials have since the armistice of 1918 travelled throughout this region and ascertained with far greater precision than we the numbers and proportions of the inhabitants of all races and religions.

"It is easy to reply to this statement. Turkey has had effective possession of the vilayet for centuries, and owing to the necessities of military recruiting she was obliged to have precise knowledge of the movement of the population. The Turkish statistics were, moreover, compiled before the great war after minute investigation; and at that time there was no political motive for falsifying the figures which indicated the proportions between the various elements of the population.

"The British Government, on the contrary, has never effectively mastered this vilayet; and, further, the British officers and officials have never yet been able to penetrate into the sanjak of Suleimanieh. It is thus clearly impossible to admit that a few officials, going through only a part of a province over which the authority of their Government is not even established, could draw up exact statistics for the whole province.

"Under these conditions it must be recognised that the Turkish statistics are the only ones consonant with fact.

"Then again, according to the figures furnished by the British delegation, the population of the Mosul Vilayet included in the year 1921:

	Arabs.	Kurds.	Turks.	Christians.	Jews.	Total.
Mosul	170,653	178,820	14,895	57,125	9,965	432,468
Erbil	5,100	77,900	15,000	4,100	4,800	106,900
Kerkuk	10,000	15,000	35,000	500	1,500	62,000
Suleimanieh	..	152,900	1,000	100	1,000	155,000
	185,753	452,720	65,895	62,225	16,365	785,468

"As will be seen, the British Government itself recognises that the Arabs and non-Moslems form the minority of the population in the province, and that the Kurds and Turks are in a majority.

"I will now give some information regarding the various elements of which the population of the Mosul Vilayet is composed and their distribution.

"The Arabs are situated almost entirely to the south of the line Gayara Sanjar and on the right bank of the Tigris. If you exclude a narrow strip of territory between Fethie and Kerkuk, the district on the left bank of the Tigris is entirely peopled with Kurds and Turks. In Mosul town itself three languages are spoken, Turkish, Kurdish and Arabic; but the inhabitants of the town who now speak Arabic and are taken for Arabs are really Turks who, having been in constant contact with the Arabs for a long

time, have learnt both languages. Those who know the country realise that the inhabitants of Mosul have never regarded themselves either as Arabs or as forming part of the population of Irak.

"The British delegation recognise that Tel-Afr is a Turkish town and that there are numerous Turkish villages around Mosul. In fact, the Nahies of Chekian and Achair-i-Seba, which are united with Mosul and comprise 146 localities, are entirely inhabited by Turks; and the Nahies, directly dependent on Mosul, comprising 77 localities, has a population, the great majority of which are Turks.

"The Turkish character of this district and of the Kerkuk and Erbil districts is, moreover, recognised by the British Government itself, since the proclamations addressed by British officials to the local population are drawn up in the same Turkish language as that in use at Constantinople.

"The Yezidis are Kurds and naturally have the same manners and customs as the Kurds; they only differ in the religious sect to which they belong. It is therefore unfair to differentiate them from each other, just as it would be unfair to regard the people of one nation, some of whom are Catholics and others Protestants, as belonging to different races.

"It has been argued that the Turks of the Mosul Vilayet are Turcomans and not Turks, and that their language differs from the Turkish spoken at Constantinople.

"Now, as a matter of fact, the Turkish in use at Mosul is the same as that in use in Anatolia, and there is no place in the whole of Asia Minor where the spoken Turkish is identical with that of Constantinople.

"The same thing may be observed in all countries where a single language always varies slightly from town to town and from province to province.

"It is, moreover, an undoubted fact that the Turks of Anatolia belong to the group described by the name of Turcomans. There is, therefore, no serious foundation for the differentiation which it is sought to establish between the Turks of Mosul and those of Asia Minor.

"It has been said that the Kurdish people is Iranian in origin. This statement is contradicted by the Encyclopædia Britannica, which recognises that the origin of the Kurdish people is Turanian, and thus confirms the argument of the Turkish delegation.

"Those who know Anatolia are aware that as regards manners, usage and customs the Kurds do not differ in any respect from the Turks, and that these two peoples, while they speak different languages, form a single unit in respect of race, religion and manners.

"The Christians who live in the districts in question are chiefly Nestorians, Assyrians and Chaldeans.

"When the Vilayet of Van was invaded by the armies of Tsarist Russia, the Nestorians acted in such a traitorous and cruel manner towards their Moslem compatriots, with whom they had been living side by side in complete tranquillity for centuries, that they felt bound to leave the country with the Russians when the latter retreated.

"The Chaldeans, and more especially the Assyrians of the Vilayet of Diarbekir never let themselves be influenced by foreign agitation, and they are still living on terms of perfect understanding with their Turkish compatriots.

"The British delegation are obliged to recognise that the great majority of the population of the Mosul Vilayet consists of Turks and Kurds (more than 85 per cent. according to the Turkish statistics—the only statistics the accuracy of which can be guaranteed—and more than 66 per cent. according to the statistics of the British themselves); but they regard the three Vilayets of Basra, Bagdad and Mosul as an indivisible whole with an Arab majority.

"The Turkish delegation cannot agree with this view, for history, geography, ethnography and the economic needs of the Mosul district are all in contradiction with the British argument.

"Since the remotest times the districts of Mosul and Bagdad have formed separate States. Sometimes they have been incorporated in great Empires, such as the Persian Empire, the Empire of Alexander the Great, the Arab Empire and the Ottoman Empire, but they have almost always gone asunder after the disappearance of those Empires.

"It will be seen in the geographical section of our statement that as regards the lie of the land and the climate, the Mosul Vilayet forms part of Anatolia and not of Irak.

"The same observation applies to the ethnographical character of the district—a point which is not contested by the British delegation.

"Lastly, since the railway connecting Mosul with the Mediterranean was built, this province is indissolubly united with Anatolia from the economic point of view as we shall prove presently.

"It has also been argued that as the majority of the population in the town of Mosul is Arab, the whole province should be united with Irak. We have already spoken of the population of the town of Mosul and do not wish to revert to the subject; but even if the above-mentioned statement was in accordance with fact, there would be no reason why an Arab majority in the capital of a province, which formed a tiny minority in the province itself, should decide the fate of the whole province.

"II. *Political Arguments.*

"The political arguments on the strength of which the British delegation decline to restore the Vilayet of Mosul to Turkey are as follows:—

"(*a.*) That there is a large number of Arab inhabitants in the vilayet.

"(*b.*) That the Kurds do not wish to live together with the Turks; that they have proved this first by revolts before and during the war (in this connection reference is made to events at Bitlis in 1914 and to events at Dersim), and afterwards by fighting badly during the great war; and further that the Turkish Government, unlike the British Government, has no desire to grant the Kurds autonomy.

"(*c.*) That the British Government entered into certain engagements during the war and after the armistice towards the Arabs, who for their part display great attachment to England.

"(*d.*) That Great Britain assumed a mandate for Irak in April 1920 at San Remo under the ægis of the League of Nations, in accordance with article 22 of the covenant, and thus entered into engagements towards her Allies from which she cannot recede.

"(*e.*) That as the British armies defeated the Turkish armies during the great war and conquered Mosul and the whole of Irak, England can claim the possession of those countries by right of conquest.

"In reply to these considerations, the Turkish delegation have had and now have the honour to advance the following arguments:

"(*a.*) The Arabs, even if they are coupled with the non-Moslems, form, as we have already shown, and as the British delegation themselves admit, a minority in the Mosul Vilayet. It would therefore be unjust and contrary to the right of self-determination to demand the union of the Mosul province with Irak on this ground.

"Besides, if this argument is to be used in favour of the union of Mosul with Irak, Turkey would have just as much right to point to the existence of a much larger Turkish population to the north of Bagdad as a reason for asking that that country should be included within her frontiers.

"(*b.*) The statement that the Kurds do not wish to live together with the Turks is in no way consonant with the facts.

"Centuries have passed during which these two peoples, united by community of race, religion, aspirations, manners, usage and customs, have lived together in perfect understanding; history shows that the Kurds came under Turkish administration and associated their destinies with those of Turkey most willingly.

"The Government of the Grand National Assembly of Turkey is the Government of the Kurds just as much as the Government of the Turks, for the real and legitimate representatives of the Kurds sit in the National Assembly and take part in the government and administration of the country to the same degree as the representatives of the Turks.

"The Kurdish people and their above-mentioned representatives do not agree that their brethren who live in the Mosul Vilayet should be separated from the mother-country, and are ready to endure any sacrifice in order to prevent such a separation.

"It is undeniable that the Kurds and the Turks, who form the vast majority of the population of the Mosul Vilayet, have never ceased and never will cease for a single instant to fight with all their strength to ensure that their province shall continue to form an integral part of Turkey. This population has quite recently informed the Grand National Assembly of Turkey of its unshakeable resolution to obtain the restoration to Turkey of their country which was occupied after the armistice of 1918.

"For the purpose of showing how deeply this desire is rooted in the hearts of the inhabitants of the Mosul Vilayet, one need only consider the events which have taken

place since the unjustifiable occupation of the province, many of which have been announced in British official communiqués.

"It is in fact known that the British troops have always had to fight against the above-mentioned population; that the Kurds enrolled by the Irak Government have seized every favourable opportunity for passing to the Turkish side; that British air squadrons have often had to bombard Turkish and Kurdish villages in order to prevent them by terrorisation from displaying their devotion to Turkey; and, finally, that at the time of the so-called plebiscite organised in regard to the Emir Feisal, despite all the pressure exercised upon the population of the vilayet, it was only the minorities in the town of Mosul who took part in the vote. The events occurring at the present moment in the province entirely confirm our statements.

"The incident which occurred at Bitlis in 1914 was due to incitement by certain foreign consuls; it was of no importance and of a purely local character. The nature of this incident can be illustrated by the fact that one of the persons who was considered to be compromised in the affair is now a member of the Grand National Assembly of Turkey. The Dersim affair, which is also quoted by the British delegation, is of the same kind.

"It is evident that a local incident arising for some reason at a particular place in Turkish territory cannot in any way be interpreted as proving the desire of the population of that place to be separated from Turkey. Similar occurrences may, moreover, be observed everywhere.

"As regards the statement that the Kurds fought badly during recent wars, the Turkish delegation consider it their duty to declare that all the leaders of the Turkish army who took part in the great war and in the war of independence have borne witness with respect and admiration to the services rendered and the sacrifices made by the Kurdish people for the welfare of their country. In particular, in the struggle against the Sultan and the Government of Constantinople which has now disappeared, in the defence of the various fronts in Anatolia which were attacked by our enemies, and in the offensive which ended in the complete crushing of the Greeks, the Kurds worked together with the Turks in perfect harmony to attain a single object and realise a single ideal.

"In concluding this part of our statement, it only remains for us to deal with the question of autonomy which, according to the British delegation, England proposes but Turkey declines to grant to the Kurds.

"The Kurds have always enjoyed all the rights of citizens in Turkey; they have always collaborated with the Turkish Government in political and social affairs, and therefore have never been able to regard the Turkish Government as a foreign government. At this moment they have their deputies in the Grand National Assembly and take an effective part in the government and administration of the country.

"There is not a single Kurd who would wish to exchange a position of this kind for that of the subject of a foreign State in a territory which, whatever name may be given to it, could never really be anything but a colony.

"The Kurds know that in that event they would have no effective influence over the destinies of their country, which would be settled from far off by a government and a parliament where they were not represented.

"The alleged civic rights and privileges which have been granted to the people of the so-called autonomous districts could never satisfy a dominant race like the Kurdish race.

"These considerations, which apply just as much to the Kurds of the Mosul Vilayet as to those of the rest of Anatolia, explain why the fictitious autonomy which has been promised for four years to the inhabitants of the eastern part of this province does not in any way attract them and cannot induce them to consent to share the fate of a population which has in fact been reduced to the state of a colonised people.

"(*c.*) The statements made during the war with regard to the liberation of the Arabs from Turkish administration are well-known; but it must be admitted that they have lost all real value since 1918.

"According to the declarations of the Emir Feisal which appeared in all the press of Damascus on the 15th February, 1920, the British Government, when they entered into negotiations in 1915 with the Shereef of Mecca, Hussein, with a view to inducing him to rise against the Ottoman Empire did not undertake to incorporate the Mosul Vilayet in the free and completely independent Arab State which it was then proposed to create.

"One can show the real nature of the devotion of the Arabs to Great Britain by recalling events in Irak during 1920 and 1921, the great military effort made by

England with a view to suppressing by force of arms the Arabs' aspirations to independence, and their constant desire to see the end of a régime which, by whatever name it may be called, is nothing less than colonisation.

"If the British Government, who have promised liberation to the inhabitants of Irak, were to leave those people free and unfettered by any military occupation, and if they allowed these people to vote in complete independence respecting the destiny of their country, not a single person would be found who wished for any occupation, protection, or mandate whatever; for at the present day peoples wish to have effective control over their own destinies and not one of them any longer asks for a protector or a guide. All of them have understood that the words 'protection,' 'guide in the path of civilisation' &c., when used by dominating people are merely means for the political and economic absorption of conquered peoples.

"On the contrary, one can only get at the truth by recognising that the inhabitants of Irak show the keenest desire to associate their destinies with those of the Turks, no matter in what manner. But the Government of the Grand National Assembly of Turkey, whose fundamental principle is to regard the parts of the Ottoman Empire outside Turkey proper as being no less free and independent than Turkey herself to settle their own fate, has never dreamt of exploiting the attachment of the Arabs to Turkey. Our claims therefore only concern districts which ought to be restored to Turkey; as regards the countries which remain outside our frontiers, we wish them independence and prosperity.

"(*d.*) Turkey has never recognised the need of any mandate in Irak and moreover has no knowledge of the mandate having been assigned to England; further, no juridical value can be attached to the treaties concluded in regard to Irak, a country which legally is still part of the Ottoman Empire. In this connection we wish to observe that article 22 of the Covenant, to which the British delegation appeal, has not been respected, for the inhabitants of Irak were not left free to give a really independent opinion on the subject of the mandate which England is said to have secured for herself.

"The plebiscite held in this country, not on the question of the mandate but on that of Emir Feisal, took place after the forcible repression of revolt and under the pressure of the forces of occupation; it therefore cannot serve to prove the attachment of the population to the present régime.

"The Allies have both before and after the armistice of 1918 concluded a series of successive agreements for the purpose of dividing up various parts of the Ottoman Empire, and even of Turkey proper, or again, with a view to securing for themselves special advantages in certain Turkish districts. Most of these agreements have been recognised to be inapplicable in consequence of the events of the last few years. There is no reason why the San Remo Agreement in regard to Mosul should have the privilege of being unalterable.

"(*e.*) The right of conquest, which is invoked as justifying the seizure of Irak and Mosul by England, has no validity in the present century. The Turkish delegation are not afraid to appeal on this subject to the public opinion of all countries. They are convinced that they will have the support of all true democrats when they meet an argument so foreign to the spirit of modern times with the contrary argument, namely, that the people of a country may not be transferred against their will from the sovereignty of one State to that of another.

"During the great war, was not our argument that of the Allied Powers, and did not President Wilson, when he proclaimed it aloud, make it the basis of future peace?

"This argument of the right of conquest is in no sense valid in the case of the Mosul Vilayet, for this vilayet was occupied after the conclusion of the armistice and contrary to its provisions. The destiny of Mosul is in every respect similar to that of Smyrna, Eastern Thrace, Constantinople, Adana, Ourfa, Aintab, &c., all of which were occupied after the suspension of hostilities and contrary to the conventions which had been concluded. It is therefore natural and logical that the Mosul Vilayet, like the towns and districts just mentioned, should be restored to Turkey.

"III. *Historical Arguments.*

"For the last eleven centuries, long before the foundation of the Ottoman and Seljuk Empires, Mosul and the district as far as the north of Bagdad have belonged uninterruptedly to the Turks.

"In the time of the Abbasid Caliphs these regions were in the hands of Turkish governors, soldiers and population.

"Later on the Turkish Ata Bey dynasty, and later that of the Artuks, founded various independent States and reigned at Mosul, Sanjar, Djeziret-ibn-Omar, Kharpout, Mardin, &c.

"These dynasties left behind them numerous buildings, especially at Mosul; the latter town still owes much to the Seljuks, who possessed the country after the above-mentioned dynasties and before the Ottoman dynasty.

"In ancient historical works the district extending from the south of the Mosul Vilayet as far as Bagdad is designated as Tataristan. A trace of this name still subsists in modern maps in the form of Vadi-i-Tatar.

"IV. *Geographical and Economic Arguments.*

"From the point of view of geography, lie of the ground and climate, the dividing line between Anatolia and Irak is the line Jebel Hamrin–Jebel Fouhoul–Vadi-i-Tatar–Jebel Sanjar.

"To the north of this line the Mosul Vilayet is identical with Anatolia as regards climatic and other conditions

"The town and Vilayet of Mosul, which lie at the crossing-point of the routes connecting Anatolia, Syria and Persia, are of the greatest importance as regards the communications of Southern Anatolia with Persia and Syria. This district is still more important as regards communications between the various parts of Southern Anatolia, for in it lie the intersections of the roads connecting Suleimanieh, Kerkuk, Diarbekir, Ourfa, Bitlis, Siird, &c.

"The chief economic arguments used by the British delegation in support of their request on the subject of Mosul can be summed up as follows:—

"(*a.*) That the chief outlet for the commerce of Mosul is the Persian Gulf.

"(*b.*) That Bagdad needs the products of Mosul and especially its grain and timber building material.

"These arguments are not sound, for—

"(*a.*) In consequence of the construction of the railway connecting Mosul with the Mediterranean ports, Mosul is now much more closely connected with Anatolia than with Irak. Its principal outlet is on the Mediterranean, where it can get into communication far more easily and rapidly with the industrial countries of Europe, of which it has special need as a market for its raw materials and a source from which to obtain manufactured goods. Since the construction of this railway, the Persian Gulf route is of altogether secondary importance for the Mosul Vilayet.

"(*b.*) The timber building material used at Bagdad does not come from the Vilayet of Mosul, but from that of Diarbekir; and similarly the grain shipped from Mosul to Bagdad comes mostly from Diarbekir and, like the timber, only passes through Mosul in transit.

"If one adopted the principle that all the districts which supply the economic needs of a country should be annexed to it, one would be obliged to modify entirely the present frontiers of all States and draw new ones, taking into account the economic inter-dependence of the various territories. The impossibility of carrying out such a principle is obvious; and as Mosul is now much more closely connected with Anatolia and the Mediterranean than with Irak and the Persian Gulf owing to the construction of the new railway, the economic arguments advanced by the British delegation fall to the ground.

"V. *Military and Strategical Arguments.*

"As we have just mentioned, Mosul is of great importance as regards communications between different parts of Southern Anatolia and is consequently of great importance from the point of view of the security of this district.

"The line Jebel Hamrin–Jebel Fouhoul–Vadi-i-Tatar–Jebel Sanjar has been indicated by us as the frontier between Anatolia and Irak because, apart from ethnographical, geographical, economic, political and other considerations, it forms a line of separation between these two regions which is both clear and natural.

"It has been argued that this frontier would constitute a threat against Bagdad and the communications of that town with Persia; but that argument cannot prevail against ours, for many States have their capitals or important towns on or near the

frontier. If these considerations were to be taken into account, the régime of the Straits which is proposed to us should be entirely modified with a view to ensuring the safety of Constantinople and our frontiers in Thrace should be moved much further back so as to cover Adrianople, in front of which there are not the 70 miles which separate Bagdad from the frontier demanded by us. It must also be observed that the frontier which we claim is not any nearer to Bagdad than the Persian frontier.

"Let us now examine the argument regarding the necessity of making the newly-created State of Irak a workable concern.

"The combined Vilayets of Basra and Bagdad which form Irak have a much larger area than that of many European Powers From the point of view of economic resources they include the largest and most fertile arable lands in the world, and they are traversed and watered by two great navigable rivers over nearly their whole course through Irak.

"This combination of circumstances obviously leaves no other grounds on which to support the argument about the necessity of making the State of Irak workable except the argument concerning strategical frontiers

"But the strategical argument, to the effect that if Irak does not obtain the Mosul Vilayet it will be exposed to losing its independence owing to Turkish aggression, does not correspond with the facts.

"The Turkish delegation wish to observe that the frontier which they propose (the line of Jebel Hamrin-Jebel Fouhoul-Vadi-i-Tatar-Jebel Sanjar) consists of a series of mountains which form the natural dividing line between Turkey and Irak, and can quite equally well be regarded as a strategical frontier. The Turkish delegation do not, however, wish to discuss the theory of strategical frontiers at length, which no longer requires refutation; they only wish to observe that Turkey cannot agree, for the purpose of giving Irak a completely useless and really illusory guarantee, that a whole province, with a Turkish and Kurdish population of half a million, should be detached from the mother country. The Turkish delegation cannot in any way recognise the existence of those aggressive or predatory intentions which are imputed to Turkey without any justification. The history of the last two centuries proves that Turkey has never had any designs whatever on her neighbours; that she has always fought not for the purpose of making conquests but, on the contrary, of defending her own inheritance which was coveted by others; and that Turkey, which has now ceased to be an Empire and become a national State, cannot think of attacking and conquering a country whose population belongs to a different race.

"As regards an Arab aggression against Turkey it is superfluous to say that Turkey does not believe such a thing to be possible; for the Turkish and Arab peoples who have lived together like brothers for centuries would obviously never think of attacking each other when left to themselves.

"The best guarantee for the safety of Irak, whatever authority may be established in that country, is to acquire the friendship of Turkey and not create Turkish and Kurdish irredentism within its frontiers. It is also evident that once the frontier question has been settled in accordance with justice and the principle of nationality, Turkey will be the best and safest of neighbours for the State of Irak.

"Having thus reviewed the arguments hitherto employed the Turkish delegation have the honour to add the following:—

"Turkey has to this day done nothing which could give ground for the belief that she ever contemplated the possibility of ceding the Mosul Vilayet to another Power. England is not in the same case. The arguments now employed by her with a view to demonstrating that Mosul is inseparable from Irak did not seem to her of the same importance in 1915, at which time she was negotiating with the Shereef of Mecca, Hussein; in 1916, when she agreed to part of this region being placed under a French mandate; and in 1919, when General Cherif Pasha, with the encouragement of Great Britain, claimed the creation of an independent Kurdistan, and asked for the separation of Mosul and Irak.

"The only new development to which the British delegation can point as an explanation for their present argument, which is based on the idea that Mosul and Irak are inseparable, is nothing more than the Agreement of San Remo. It will be admitted that this argument is not such as to justify the severing from the mother country of a region where the vast majority of the population is Turkish and Kurdish.

"I beg leave to sum up as follows the considerations in view of which Turkey cannot consent to yield the Mosul Vilayet:—

"1. The great majority of the population in this vilayet consists of Turks and Kurds.

"2. The inhabitants of the vilayet urgently demand that they may be restored to Turkey, for they know that in that event they will cease to be a colonised people and become citizens of an independent State.

"3. Geographically and politically this vilayet forms an integral part of Anatolia, and it can only maintain close relations with the ports of the Mediterranean, which are its real outlets, if it remains united to Anatolia.

"4. All the treaties, agreements and conventions which England may have concluded in regard to a country which is still legally part of the Ottoman Empire can have no legal value, the more so because the populations have not been given a chance of expressing their wishes freely and safe from all pressure and foreign occupation.

"5. As Mosul is the point of intersection of all the roads connecting the southern parts of Anatolia, its possession is indispensable to us for the economic life and the security of that region

"6. The Mosul Vilayet was taken away from us, like many other parts of our country, after the suspension of hostilities and contrary to the conventions which had been concluded; it ought, therefore, to be restored to us like the other districts which suffered the same fate.

"Before concluding my statement, I beg leave to say that the Turkish delegation, in formulating their requests in regard to Mosul, are sure of the entire support of public opinion in all countries, and are likewise convinced that all will recognise the accuracy and the soundness of the arguments which they have had the honour to advance."

LORD CURZON spoke as follows:

"I welcome the opportunity of making a public statement on this question. There has been so much perversion, exaggeration and misrepresentation about the case of Mosul that it is desirable that the facts should be known. I am grateful therefore to Ismet Pasha for having summed up the Turkish case in the statement to which we have just listened. I propose to take his case point by point and to give my reply, and I shall be only too delighted if the Turkish case and the British case could be printed side by side and referred to the opinion of the world.

"First I should like to explain the exact position in Mosul: how it is that we came there, what has been done since we came there, and what is being done there now. The whole of Mesopotamia was occupied in the course of the great war by the British troops. That was a war which ended in the defeat of the Turkish armies, and the explusion of the Turkish Government from the country. A little later on, however, the name of Irak was given because of its greater local familiarity to the country which we had hitherto called Mesopotamia.

"When we were forced to go into the war by the action of the Turkish Government, and when we first advanced into Irak, we gave solemn pledges to the people of that country that if we were successful in the war they should be freed from Turkish rule in the future. We entered into similar pledges to King Hussein at the same time—to support the independence of the Arabs in this area. When the war was over and we had been victorious we did our best to fulfil these pledges. Ismet Pasha said just now that the people of that country and of the Mosul Vilayet had never had a fair opportunity of expressing their views. That is not the case. We asked them whether they would prefer to be united together in future—that is Mosul, Bagdad and Basra, or whether they would prefer to separate. All three of these areas answered that they were parts of a complete and indivisible whole, and they declined to be separated. We asked them whether they wanted an Arab King and if so whom they would choose. Their replies were at that time divided, and therefore at the moment nothing could be done on that point. Meanwhile at Paris when the Peace Conference was sitting in 1919 the method of disposing of the conquered territories, whether of the Turkish or of the German Empires, by means of what is termed a mandate was set up; and as everybody knows it was established largely by the influence of President Wilson, to whom Ismet Pasha himself referred in favour of his argument just now. It remained for the Allied Powers who had conquered these territories in the war and who held them in trust to assign the mandates, and it was at San Remo in April 1920 that they decided to give the mandate for Syria to France and the mandates for Palestine and Mesopotamia to Great Britain. All these mandates stand on exactly the same basis. You cannot attack one without attacking the other. These mandates were confirmed by the Treaty of Sèvres in August 1920 and the frontiers of Syria and Irak were both laid down, the northern frontier of Irak

being defined as the northern boundary of the Mosul Vilayet, with certain variations. It then lay with the League of Nations to determine what degree of authority and control the mandatory Powers should exercise in each of these areas. For this purpose draft mandates were submitted by the various mandatory Powers to the League of Nations in 1920–21. In the course of 1921 the question of a single Arab ruler was solved by the election of the Emir Feisal to be King of the Arab State of Irak. That was a vote in which the Mosul Vilayet joined, and by which he was unanimously elected. In October 1921 the League of Nations, not yet having defined the final mandate, invited the British to continue to conduct their administration in the spirit of the draft mandate which had been submitted to them pending the final determination of the latter. Subsequently, in our anxiety to diminish British responsibilities and to confirm the independence of the Arab State, the British Government concluded a treaty in October 1922 with King Feisal, in which both parties, that is to say, the mandatory Power and the Arab State pledge themselves not to cede or lease any territory in Irak. That treaty has been signed, but it still awaits ratification. Now I was a little amused just now to hear Ismet Pasha say that mandates had no interest for him, and that the Turkish Government had never recognised mandated territories. But I seem to remember a few days ago when discussing the Ottoman debt he was only too anxious to saddle the mandated territories with the operation of the debt, and to regulate the partition of that debt from the date of the armistice. It is therefore quite clear that the mandated territories are recognised by him when it is convenient for his case.

"I have thus stated the juridical and treaty basis of the British position and interest in Irak, including the Mosul Vilayet, and I have shown to the commission that the British Government are under a three-fold pledge: firstly, to the Arab nation, to whom they promised that they should not be returned to Turkish rule; secondly, to the Arab King, who has been elected by the whole country, including Mosul, and with whom we have entered into obligations; and, thirdly, to the League of Nations, without whose consent we cannot abandon our mandate over a large portion of the mandated territory. The only point which remains undetermined is the northern frontier of Irak, which has not yet been fixed by any legal instrument of the Allied Powers

"As regards the military occupation of the Mosul Vilayet, I should like to inform the world that for the most part it is in the hands of the people of the country themselves. It is not garrisoned by British troops, but by native forces and native levies. The country of Kurdistan, about which so much has been heard, is held by Kurdish and Assyrian levies. There are no regular British troops there. In the rest of the Vilayet of Mosul security is maintained by Arab troops commanded by Arab officers, paid for by King Feisal. There is only a very small number of British troops north of Bagdad. Thus the military protection of the country is mainly in the hands of the people themselves. I hope that my argument up to this point will have convinced my hearers that it is quite impossible for my country consistently with a due sense of honour to run away from the pledges it has given, to break its word before the world, to cut out the Vilayet of Mosul from the mandated territory and to give it back to the Turkish delegation.

"Will Ismet Pasha allow me also to call his attention to the entirely novel and unprecedented character of his request? It will not be disputed that in Asia the Allied Powers, represented in this case by the British Government and the British armies, won the war. It will not be disputed that they wrested Mesopotamia from Turkey, or that they have held and administered the whole of that country for more than four years. Meanwhile it has been stated over and over again by authoritative spokesmen of the Turkish Government that, recognising their defeat in the war, they were quite prepared to accept the severance from their dominions of territories inhabited for the most part by peoples of other races, and to concentrate their interest in the future upon areas inhabited by people of the Turkish race. That is an object with which all of us here have so much sympathy that we are endeavouring to frame a treaty which will result in the building up of a Turkish State upon that basis; and yet the Turkish delegation comes here and seriously contends that the British Government should hand back a considerable portion of the area which it thus conquered and which it has thus administered, because the Turkish Parliament at Constantinople in February 1920 came to certain resolutions which have been called the National Pact, and which have since been confirmed by the Grand National Assembly at Angora. I venture to say that such an argument has never before been addressed to a nation or Government that has been victorious in battle, and if it had been addressed at any time in their long history to the Turkish Government it would have been received with ridicule. Ismet Pasha

said that it was contrary to the modern spirit to conquer anybody. Is that the spirit in which the Turkish Government are going to conduct their affairs in future? I do not know, but I am not quite sure that it is the spirit in which they have conducted these discussions in the last few weeks. But let that pass. After making these remarks, I will now take in detail the various considerations which Ismet Pasha has been good enough to place before us.

"Ismet Pasha based his case for the surrender of the Mosul Vilayet by Great Britain on grounds ethnographical, economic, historical and strategical. I will deal with each of these in turn. He commenced by giving us a series of figures and statistics of the population in the Mosul Vilayet. Will he allow me to point out that these statistics are destitute of any real value? In the first place he did not give us the date at which they were compiled, but it is quite obvious that they could only have been compiled before the war, several years ago; and it is also notorious that the Turkish figures were compiled only for the purpose of obtaining a list for military service or exemption, and thousands of people failed to appear in the list, because by some means or other they avoided the obligation. Therefore, with all respect, he must allow me to refuse to accept his figures. What are the figures to which I shall refer? They are the figures which were compiled only the year before last with the utmost care by British officers visiting every part of the vilayet, and making the most careful record of the facts in each locality and each town or village. Ismet Pasha said, what can you know about the figures in Sulimanyieh and in Southern Kurdistan? We ought to know a great deal more than he does, for there have been British political officers in Sulimanyieh continuously since October or November 1917 until they were temporarily withdrawn during a few weeks last year as the result of Turkish military activity in Rowanduz. There is a British military officer there now. What means have the Turkish delegation had of obtaining figures in the district in that period? There is not a Turk in the district of Sulimanyieh now, and there has not been for years. Therefore, when I come to the figures I am about to give, I hope the conference will be assured that they are figures resting upon a scientific basis.

"I will now come to the actual figures at this moment of the populations of the Mosul Vilayet, which are as follows:

"Arabs	156,000
"Kurds	455,000
"Turks	66,000
"Christians	62,000
"Jews...	17,000

"and I will ask permission to say a few words about each of these populations who are claimed now by the Turkish delegation. First, let me take the Arabs. The figures I have given, and which amount to a total population of between 750,000 and 800,000 for the entire Mosul Vilayet, show that the Arabs are about one-quarter of the whole. In the town of Mosul, which has a population of from 80,000 to 90,000, between 50,000 and 60,000 are Arabs. The whole of the country north of Mosul, on the right bank of the Tigris to the northern boundary of the vilayet, is inhabited by Arabs. The whole of the country south of Mosul, on the right bank of the river, is inhabited by Arabs. Most of the country south of Mosul, on the left bank of the river up to the Erbil–Kirkuk–Kifri road, is inhabited by Arabs. On what conceivable ground ought these Arabs to be handed back to Turkey? I have already pointed out that they voted in 1919 for remaining in a single area of Mespotamia or Irak. In 1921 they voted for Feisal as their King. Why should we hand them back to Turkey? Why should Mosul city be handed back to the Turks? It is an Arab town built by Arabs. During centuries of Turkish occupation it has never lost its Arab character. I am unable to understand any principle of logic or equity by which it can be contended that this Arab country should be handed over to Angora.

"Now I will turn to the Turkish population upon which it is natural that Ismet Pasha should base his case. The Turkish population are only one-twelfth of the entire population of the vilayet. They are mainly situated in the towns of Erbil, Altunkeupreui, Kirkuk and Kifri. They are not Osmanli Turks at all. They are descendants of a Turanian invasion from Central Asia which came to this country long before either the Seljuk or the Ottoman invasions took place. They speak a Turkish dialect of their own. It is not the dialect of Angora; it is not the dialect of Constantinople. There exist also a certain number of the families of the Turkish officers and officials who had been employed by the Turkish Government in that

neighbourhood. The whole of this people, except in the Kirkuk area, voted for inclusion in the Kingdom of Irak and for the Emir Feisal as its King. Let us suppose that they are well disposed to the Angora Government and that they would now like to go back. Is it to be seriously contended that the fate of the whole of this great vilayet is to be decided by the will of one-twelfth of the population of uncertain origin and of doubtful sympathies?

"I will next take the case of the Kurds, of whom I remarked that there are 455,000 out of a total population of between 750,000 and 800,000. It was reserved for the Turkish delegation in one of their papers to discover for the first time in history that the Kurds were Turks. Nobody has ever found it out before. The origin of this people is somewhat obscure. Ismet Pasha, in one of his notes, quoted a single authority which was of opinion that they were of Turanian origin, but that is not an opinion that is shared by the best authorities, or indeed, so far as I know, by anybody else. It is a matter of general agreement that the Kurds are a people of Iranian race. They speak an Iranian language; their features are entirely distinct from those of the Turks, so are their customs and their relations with women. I have been in the Kurdish country myself; I have stayed with the Kurds, and, though I do not pretend to be an authority, I would undertake to pick out a Kurd from a Turk any day of the week, and I could not, unless I were blind, possibly confuse the two. For centuries these Kurds, who are now claimed as Turks, have lived an independent life of their own in the mountains. They have resisted all interference from Constantinople. The Turkish Government have never exercised effective control over Southern Kurdistan. Turkish Governors were often not able to enter the country, and frequently had to wait a long time before pursuing their journeys thither, and when there were only able to exercise but very little authority. During the war the Kurds in this area gave to Turkey no assistance whatever. In fact any assistance they gave was given to the British. I will next answer one or two points made by Ismet Pasha. He asked why the proclamations published in Kurdish territory were in the Turkish language. My answer is that the Kurds are for the most part an illiterate people, and that the instruction in writing Kurdish which we have set on foot has not yet had time to penetrate very far. There had never hitherto been a written Kurdish language in southern Kurdistan. Ismet Pasha said that there are several Kurdish Deputies in the Parliament of Angora. That may be; but does he seriously contend that there is a single Kurdish delegate from Southern Kurdistan? Has there ever been one from Sulimaniyeh? As regards the Kurdish Deputies at Angora, I wonder now they were elected. Is there a single one who was elected by a popular constituency? It is notorious that they are all nominated men, and that some of them cannot take part in the proceedings of the Assembly because they do not know the language. I do not think therefore that much weight should be attached to the point of parliamentary representation of the Kurdish community at Angora.

"As regards the general relations between the Kurds and Turks we all know that there have been constant manifestations of Kurkish discontent under Turkish rule. During the last four years the British Government have been bombarded with representations from disappointed Kurds, asking us to interest ourselves in Kurdish autonomy or Kurdish independence. We have felt much sympathy for these representations. But pray do not let the Turkish delegation imagine for one moment that Great Britain desires to absorb a single Kurd into the British system. The whole of our information shows that the Kurds, with their own independent history, customs, manners and character, ought to be an autonomous race. One of the objects, and indeed one of the partial results, of our administration has been the setting up of a system of local autonomy with local administration and local schools, where an attempt is made to teach the written Kurdish language. Why should these people in this condition be taken and handed over to Angora, why should there be a plebiscite of this people? Angora asks for a plebiscite; the Kurds have never asked for it. Poor fellows, they do not know what it means. The Arabs and the local Turks have never asked for it. The only people who have asked for it are the Turks of Angora. And yet only a few moments ago Ismet Pasha said that it is contrary to the modern spirit to impose on people something for which they have not asked. Further, the whole of the economic connections of this Kurdish country are with Bagdad and not with the north. What justification is there for cutting this economic connection?

"Then as to the Christians. Ismet Pasha has referred to the question of these communities, the Assyrian and Nestorian Christians on the frontiers of Mosul, over 60,000 in number. Do they want to be handed over to Angora? Not a day passes that I do not get letters from them appealing to be saved from that fate. Early in the

war they fled in thousands from Turkish territory, from Julamerk and elsewhere, and poured down into the plains of Mesopotamia, and the British Government has had to spend hundreds of thousands of pounds in providing for them. Little by little we have succeeded in settling them down in the northern parts of the Mosul Vilayet, where they are now preparing to defend themselves by raising levies. Against whom are they thus defending themselves? Not the British, who established them there; not the Arabs, who have no warlike intentions; it is the Turks they are defending themselves against because they fear their aggression. And these are the people whom I am invited in a spirit of friendliness to hand over to the Turkish delegation.

"Ismet Pasha said, how do you explain the fact that in 1920–21 there was a rising in this country against your rule? Has the Turkish Government never experienced a rising in any of the territories which it governs? Is it not notorious that the main reason for which they are now expelling so many foreign elements from their country is the fear that they may take part in risings in the future? Risings in a country which has just been occupied and not yet settled are a very common occurrence. I could say a good deal about the rising in Irak of the year before last. I could tell a good many stories about the Turkish propaganda which brought it about, and I could even give the names of those responsible. It was the first experience which the people of that country had had of an orderly administration, with the due collection of taxes to be spent for the welfare of the people. That was quite a novel experience, and, I can well believe, unpopular with a good many. It took place in the transitional period before the Arab Government was set up. Since that rising has been subdued we have not had any further trouble of that description.

"I will deal very briefly with the two other arguments which were employed by Ismet Pasha for the severance of the Mosul Vilayet from Irak; the economic and strategic arguments. I was really astonished to hear his Excellency say that Mosul is commercially identified with Anatolia. Now what are the facts, which everybody knows? The whole of the trading relations of Mosul are either with Aleppo and Syria to the west or with Bagdad to the south. The whole of the exports of the Mosul Vilayet—grain, wool, hides, tobacco—either go down the river to Bagdad or else go to the west into Syria. Bagdad, as everybody knows, is mainly fed by wheat which comes down the river from Mosul. Then as regards imports, the piece goods from Europe, the tea, sugar and coffee which are vital to the life of the people of Mosul do not come from Turkey, they do not come from Van or Diarbekir, they come into the country by the routes which I have described. You have only got to read the commercial statistics of the districts so far as they are available in order to establish this very elementary fact.

"On the point of strategy Ismet Pasha said very little, and perhaps wisely: he confined himself to saying that if the Mosul Vilayet was returned to Turkey the Turkish Government might be relied upon not to have any hostile intentions. Let us see what that means. Let us suppose that I yielded to Ismet Pasha and said he could have back the Mosul Vilayet. It is a rich country. Mosul would be an excellent place for an army corps to be stationed and, no doubt, would make a first-class military station. The southern frontier is only 60 miles from Bagdad. Ismet Pasha has suggested that the Jebel Hamrin will make a good defensive boundary. But it is well known that this is not a great range of mountains, but merely a series of rolling downs. Is it not obvious that a Turkish army placed at Mosul would have Bagdad at its mercy, and could cut off the wheat supply almost at a moment's notice? It could practically reduce Bagdad by starvation. Moreover, it would be able to cut the line which runs to Khanikin, one of the main trade routes of the Eastern world. Thus it could make an Arab kingdom well-nigh impossible. I would not care to be on the throne of Bagdad if I had a Turkish army within 60 miles of me. Only a few months ago, when dealing with Thrace and Constantinople, it was proposed to put the Thracian frontier at 80 miles from Constantinople; the Turkish Government then said that it was quite impossible for them to accept so great a danger to their country and capital; that the frontier must be pushed further back, and that they must be given the whole of Eastern Thrace to secure their safety. Yet they come here and argue that it would be no danger to Bagdad to have the frontier brought down to 60 miles from the capital. I do not dispute for a moment the present very genuinely friendly intentions of the Turkish delegation, but it only needs a slight study of history to know that a powerful military nation like the Turks, if they were allowed to occupy the position they now claim, would probably bring about the extinction of the Arab kingdom at no distant date.

"I was rather surprised to hear Ismet Pasha lay stress upon the argument relating to the position in Mosul at the time of the armistice of Mudros. During the last few weeks he has been contending that the armistice of Mudros has been wiped out and is

not worthy of consideration and that everything ought to date from the Convention of Mudania which was concluded only three months ago. But to-day he based his argument upon the allegation that on the 31st October, 1918, when the Mudros armistice came into force, the British forces were not in occupation of the greater part of the Mosul Vilayet and therefore we could not claim to retain it. Let me give him the facts. The armistice was concluded on the 30th October, 1918. The news of it did not arrive in the remote districts of Mosul until the 1st November in the following week. On the 30th October the British forces were already in occupation of Altun Keupri, Kirkuk, Tauk, Yez Khurmati, &c., the principal Turkish towns in the vilayet. On the 1st November, before the news of the armistice had arrived they were 13 miles outside Mosul city. On the 3rd November they occupied the town, where there were only one Turkish regiment, 850 rifles, 100 sabres and a few guns. The Turkish commander did not receive the full terms of the armistice till the 4th November; on the 9th November he received orders from the Turkish Government to evacuate. Apart from this, will Ismet Pasha allow me to remind him that armistice conditions have nothing to do with the final settlement of the conditions of peace? There is not a war in history in which movements of troops have not taken place after the conclusion of an armistice. In spite of the armistice of Mudania the movements of troops in Eastern Thrace are going on at this moment, as is well known. There is not a single treaty in history in which the armistice lines have been the peace lines ultimately laid down. Moreover, article 7 of the Mudros armistice expressly authorised the Allies' troops to occupy strategical points in Turkey outside the armistice lines in the event of any situation arising which threatens the security of the Allied lines. That was precisely the case with Mosul, and therefore the occupation of that city, only a few miles distant, a few hours after the armistice was signed was fully provided for by the terms of the armistice itself.

"I only desire to allude to one more subject before I conclude, and that is a subject which was not referred to by Ismet Pasha, but which is widely and constantly discussed in the press of the world. It is supposed and alleged that the attitude of the British Government with regard to the retention of Mosul is affected by the question of oil. The question of the oil of the Mosul Vilayet has nothing to do with my argument. I have presented the British case on its own merits quite independently of any natural resources there may be in the country. I do not know how much oil there may be in the neighbourhood of Mosul, or whether it can be worked at a profit, or whether it may turn out after all to be a fraud. During the time I have been connected with the foreign affairs of my country I have never spoken to or interviewed an oil magnate. I have never spoken to or negotiated with a single concessionnaire or would-be concessionnaire for the Mosul oil or any other oil. I do not think that everyone in this room can say the same. It is notorious that since we have been here in Lausanne three representatives of the Turkish delegation were sent to London to offer oil concessions in the Mosul area (which is not theirs to dispose of) to British concessionnaires. That was done without reference to me and without my knowledge. I believe these gentlemen when they arrived in London said they had come over in order to inspect the institutions and collections of that great capital. I don't think they saw many of them. They came back very quickly when they found there was no actual business to be done behind my back, and their visit to British institutions was therefore postponed. I hope that next time they come to London they will give me the pleasure of calling on them, and I will have the greatest satisfaction in taking them personally to the British Museum. Meanwhile what are the facts of the case? Just before the war a concession was given for the oilfields of the Mosul and Bagdad Vilayets by the Turkish Government to a British limited liability company—the Turkish Petroleum Company. The Germans had an interest in the company, and when they were defeated in the war their interest passed to the British. The British Government, after full examination, were convinced and remain convinced of the validity of this concession. They felt and feel bound to uphold it. But both the British Government and company itself recognised that oil is a commodity in which the world is interested, and as to which it is a great mistake to claim or to exercise a monopoly. Accordingly, the company, with the full knowledge and support of the British Government, took steps, and negotiations have ever since been proceeding, to associate the interests of other countries and other parties in this concession, so that all those that are equally interested may have a share.

"If the exploitation is successful, Irak will be the main gainer and the world will gain also, and I have no doubt that Anatolia will profit in her town. That is the substance of the oil affair, which I have explained to the commission in order that they

may know the exact amount of influence—and it is nil—which has been exercised in respect of oil on the attitude which I have ventured to take up to-day on this question of Mosul.

"I have now completed my statement of the reasons which have rendered it impossible for the British Government to agree to the Turkish demands. With the utmost desire to arrive at an amicable solution with the Turkish delegation of all the difficulties that confront us, and to conclude a treaty honourable to both, this is a demand which I am bound to resist from every consideration of obligation and of honour. It is a demand which I cannot conceive to be in the interests of the country itself to concede in virtue of all the considerations, economic, strategical, political, historical, geographical to which Ismet Pasha appealed, and on each one of which I have been willing to rest my case to-day. Whatever be the strength of my case, I venture to say that no weaker case than that of the Turkish delegation has ever been placed before an international conference.

"But since we cannot agree, and since each side appears to be so confident of its own solution, my Government is quite content, relying upon the strength of its case, to refer this matter to independent enquiry and decision, and to abide by the result. I have already pointed out, and I could argue at greater length, that this is not a case for a local plebiscite, which, in the light of our experience of recent plebiscites, could only result in bloodshed and confusion, and in all probability would lead to no decision. My point is that a plebiscite cannot determine a frontier. It may elect a deputy or a king, but to ask a mixture of peoples to decide by their votes what should be their frontier is out of the question, and has never been successfully done in history. It is because it is a frontier question that I say a plebiscite is out of the question. It must be decided upon an examination of all the interests involved. We have to determine the future northern frontier of the mandated territory of Irak. Ismet Pasha has based his case upon quite a number of considerations, economic, strategic and otherwise, about which it is impossible for ignorant people to vote, but which clearly ought to be carefully sifted and examined in order that it may be known where the truth lies. Let us have such an impartial examination into the facts of the case. If asked what should be the nature of the enquiry and who should hold it, I think there is little doubt as to the best method to pursue. As the area is part of a mandated territory, and the British Government exercise mandatory powers there under the League of Nations, and as we cannot surrender or modify that position without the consent of the League of Nations, I think and propose that the League of Nations should be the body entrusted with the examination to which I have referred. I conclude by inviting the Turkish delegation to accept this proposal on my part, which is made with a sincere desire to arrive at a conclusion, and, as I said just now, my Government will accept the result. I invite them to accept not only because the proposal is essentially fair and equitable, not only because the League of Nations appears to me to be on the whole the most impartial and authoritative tribunal to conduct the examination, but also because the Turkish delegation in the last few weeks have themselves signified their confidence in that body by expressing their desire to become members of the League as soon as peace is concluded. That is the suggestion which I submit to the commission and the Turkish delegation, and to which I await with interest their reply."

M. BOMPARD observed that the object of the discussion now proceeding in the commission was to determine the southern frontiers of Turkey in Asia. In this connection, he was bound to note the fact that it had not occurred to any delegation to speak of the frontier between Turkey and Syria. This frontier was not in fact under discussion, for the line had been definitely laid down by a Franco-Turkish Agreement. The conference did not have to concern itself with that agreement; it could only remark that it existed and take note accordingly.

This was not the case as regards the southern frontier of Turkey, between the Tigris and Persia. The Turkish and British delegations had stated their views on this question; both of them had set forth arguments, the soundness of which could be estimated. M. Bompard said he would refrain from reopening this debate, and would in particular be careful not to add anything to it; but it was his duty to observe that Lord Curzon's proposal was conceived in an extremely liberal spirit and appeared to be of a kind to solve a difficulty, the gravity of which could not escape the notice of anyone. M. Bompard accordingly associated himself with the offer made by the British delegation, and urged that the Turkish delegation should receive it favourably.

MARQUIS GARRONI said that he had nothing to add to Lord Curzon's most lucid statement of the question, or to the proposal just made by him. That proposal was so entirely reasonable that Marquis Garroni felt sure it would be possible on that basis to find a satisfactory solution for a problem which had so long been under discussion.

In reply to an enquiry by Lord Curzon, ISMET PASHA said that the Turkish delegation were ready to acquaint the conference with their opinion in the afternoon.

The debate was accordingly adjourned until 6 P.M.

(The commission rose at 2·10 P.M.)

[E 1294/1/44] No. 179.

Baron Moncheur to the Marquess Curzon of Kedleston.—(Communicated by British Delegation, Lausanne (No. 109); Received in Foreign Office, February 2.)

Milord, *Délégation belge, Lausanne, le 24 janvier* 1923.

J'AI fait connaître à mon Gouvernement le contenu de la lettre que votre Seigneurie a bien voulu m'adresser en réponse à ma communication du 10 janvier par laquelle j'avais l'honneur de recourir à son intervention pour obtenir que la Belgique fût admise à signer le Traité de Paix.

Je ne puis dissimuler à votre Seigneurie que mon Gouvernement a été péniblement surpris d'apprendre que, vu l'opposition de la délégation turque, votre Seigneurie considère ne pas pouvoir donner satisfaction à notre vœu.

Sans revenir sur une décision qui semble définitive, je crois pouvoir suggérer à votre Seigneurie une proposition qui me paraît de nature à concilier tous les points de vue. Elle consisterait à insérer dans le corps du traité un article unique ainsi conçu :

> "Dans les six mois qui suivront la mise en vigueur du présent traité, la Belgique aura la faculté d'adhérer aux dispositions . . . . (ici suivrait l'énumération des sections ou chapitres du traité contenant les clauses financières et économiques, ainsi que celles destinées à remplacer le régime capitulaire). Cette adhésion sera notifiée par le Gouvernement belge aux Puissances signataires du présent traité."

Cette formule présente aux yeux de mon Gouvernement l'avantage suivant : sans impliquer la signature de la Belgique au traité, elle consacre, dans une mesure restreinte il est vrai, la position spéciale que mon pays, ainsi que j'ai déjà eu l'honneur de l'exposer souvent à votre Seigneurie, se croit en droit de revendiquer dans les négociations.

Elle n'implique pas la signature au traité, car elle comporte, non une adhésion immédiate, mais une simple faculté d'adhérer dans un délai déterminé.

D'autre part, je crois devoir faire observer à votre Seigneurie que, vu la grande importance des intérêts belges dans les territoires formant l'ancien Empire ottoman, l'adhésion de la Belgique devrait avoir pour objet, non seulement les clauses de traité nouveau qui sont destinées à remplacer les conventions capitulaires, mais l'ensemble de ses dispositions économiques et financières, spécialement celles concernant les "biens, droits et intérêts," le régime des concessions en Turquie et dans les territoires détachés, la propriété industrielle, littéraire et artistique, les dettes et contrats, les dommages de guerre.

Indépendamment des préjudices éprouvés par mes compatriotes du fait de certaines mesures de guerre qui leur ont été appliquées comme aux ressortissants des États belligérants, les biens, droits et intérêts des sujets belges se trouvent, par suite de la guerre, dans une situation très précaire et demandent à être rétablis, protégés ou rajustés au même titre que ceux de ressortissants d'autres nations alliées.

Au surplus, le Gouvernement belge estime qu'en l'invitant à participer aux discussions de Lausanne pour toutes les questions d'ordre économique et financier, les Puissances alliées se sont engagées à conserver à la Belgique, tout au moins sous ce double rapport, la qualité de Puissance alliée que, d'une façon tout à fait générale, le Traité de Sèvres lui avait reconnue. L'insertion dans le corps du traité de la

formule ci-dessus répondrait donc à la situation particulière qui a été faite à la Belgique par ses Alliés, sans se heurter aux objections que la signature pourrait soulever.

Je saisis, &c.
BS MONCHEUR

Minutes on Baron Moncheur's Note of January 24, 1923.

There is no technical objection to the Belgian proposal, which is practically identical with one which I made when advising on Baron Moncheur's letter of the 10th January. If, however, the proposed clause is to be inserted the Drafting Committee will have to be informed at once

H. W. MALKIN.

Foreign Office, January 24, 1923.

So far as regards the economic clauses I see no objection to Belgium being given the right to adhere, but you may have something to say as to the financial clauses.

H. A. PAYNE.

Foreign Office, January 24, 1923.

I do not think that Belgium should share in the reparation forfeit of £T. 15,000,000. Therefore she should not be allowed to adhere to the financial clauses.

S. D. WALEY

Foreign Office, January 24, 1923.

Lord Curzon agrees to leave it to the Drafting Committee to prepare a formula or text which will provide facilities for the accession of Belgium, Czechoslovakia and Portugal to such clauses (financial, economic, or conclusion of peace, &c.) as affect their interests.

E. A. C.

Foreign Office, January 26, 1923.

We have inserted a formula under which Belgium, Poland, Portugal and Czechoslovakia can accede to the financial and economic provisions of the Peace Treaty, and will thereby make peace with Turkey if they are still at war with her.

M. Massigli is replying to the Czechoslovak note of the 13th January accordingly, and if a similar reply could be sent at once to Baron Moncheur it would save some of us a good deal of time.

H. W. MALKIN.

Foreign Office, January 27, 1923

E. A. C

Foreign Office, January 27, 1923.

Baron Moncheur has been informed accordingly orally and is satisfied.

V. C. BENTINCK.

Foreign Office, January 30, 1923

[E 1293/1/44] No. 180

M. Massigli to Czechoslovak Minister, Berne.—(Communicated by British Delegation (No. 108); Received in Foreign Office, February 2.)

Secrétariat général, Lausanne,
M. le Ministre, *le 20 janvier* 1923.

PAR votre lettre du 13 janvier, vous avez bien voulu me faire part des vues du Gouvernement tchécoslovaque concernant le Traité de Paix qui est négocié à Lausanne, en me priant de les communiquer aux présidents de la conférence. Vous m'avez exposé les raisons pour lesquelles le Gouvernement tchécoslovaque, qui fut signataire

du Traité de Sèvres, aux avantages duquel il n'a jamais renoncé, estimait nécessaire d'être assuré de l'égalité de traitement avec les États participants à la conférence pour tout ce qui concerne le régime qui sera substitué au régime capitulaire ou le traitement réservé aux ressortissants tchécoslovaques concernant l'exploitation d'entreprises économiques, l'acquisition de concessions, &c., ainsi qu'au point de vue douanier.

En réponse à votre lettre, je suis heureux de vous faire savoir que les Puissances invitantes, préoccupées de sauvegarder les intérêts de leurs alliés, ont décidé d'insérer, dans la convention relative à l'établissement des étrangers en Turquie et au régime judiciaire qui leur sera applicable, une clause réservant l'adhésion à cette convention des Puissances non signataires.

Elles ont, d'autre part, prévu l'insertion dans le projet de Traité de Paix qui va être présenté par les Alliés à la délégation turque, de la disposition suivante :

"La Belgique, la Pologne, le Portugal et l'État tchécoslovaque, dont les nations ont, au cours de la guerre 1914–1918, combattu aux côtés des Puissances concluant aujourd'hui la paix avec la Turquie, seront admises à accéder aux dispositions d'ordre économique et financier du présent traité.

"Cette accession, qui rétablira en tant que de besoin l'état de paix entre la Puissance accédante et la Turquie, sera notifiée au Gouvernement de la République française, qui en adressera une copie authentique aux Puissances signataires du présent traité."

Cette clause leur apparaît, et vous apparaîtra sans doute, comme de nature à donner aux désirs du Gouvernement tchécoslovaque la plus large satisfaction.

Veuillez agréer, &c.

R. MASSIGLI.

[E 1296/1/44] No. 181.

Lord Curzon's Speech on Presentation of Draft Treaty to Turkish Delegation, Lausanne, January 31, 1923.—(*Communicated by British Delegation* (*No.* 111); *Received in Foreign Office, February* 2.)

WE have now arrived at the end of labours which have lasted for over ten weeks, and the members of the conference have had in their possession for three days the text of the Treaty of Peace which we now present, and to which we invite the signatures of all the Powers here represented.

This treaty consists of a large number of articles, 160 in all, with a number of attached conventions and declarations dealing with matters which it seems preferable to treat in that way, but which will only become operative if the entire treaty is signed. What is the object that this treaty is intended to effect? Primarily, it is to bring to an end the terrible and devastating war that has now desolated Eastern Europe and large areas in Asia for more than eight years, and to enable us all to send back our various armies, whether Allied, Turkish or Greek, where I am sure that they all want to go, namely, to their families and homes. Secondly, it is to enable the Turkish State, which was vanquished in the war with the Allies, but ended by obtaining a victory over the Greek forces, to resume her place both in Asia and in Europe as a single and consolidated State, and to re-enter, if she be so minded, as she has declared her intention to be, the comity of nations. Thirdly, it is to build up relationships of amity, goodwill and friendly intercourse on equal terms between the Turkish State, thus re-established, and the remaining Powers of Europe. Thus peace, reconstruction and co-operation are our three objects. The question is: How far have we succeeded in obtaining them in this document?

I will say little about the discussions of the past three months. They have been arduous and, on the whole, quite good-tempered. Every delegation has made its own contribution, and the Turkish delegates, led by Ismet Pasha, have had to sustain, as they have done with much ability though not without a good deal of reiteration, the brunt of every debate. Whatever be the issue, I am far from thinking that our labours have been thrown away. They have enabled each of us to ascertain and to appreciate the point of view of the others. A good deal of the suspicion which hung about our earlier meetings has been blown away by the breezes of Lausanne. We have established friendly and even cordial relations with each other, and when we separate it will be, I am convinced, with feelings of mutual regard and self-respect

As regards the actual form of the treaty and the manner in which it is presented, I must add a word of explanation on behalf of my colleagues and myself. There is not one of us who would not have preferred to submit a treaty, every article and every paragraph of which should have been agreed upon by all parties in advance, so that the signatures would have been a mere formality. One reason for which this has been found impossible has been the factor of time. So protracted have been our labours that already nearly three months have elapsed, and had we continued to proceed at the recent rate of progress we might have been here for another three months or even longer before an agreed treaty could have been arrived at, even if such a consummation were ever humanly possible. But such a prolongation was really out of the question. Europe, and indeed the whole world, is waiting, not for further debates, but for results. Many of us have important duties elsewhere, and in some quarters we have already been severely taken to task for unreasonable delay.

In these circumstances, it was felt to be in the public interest that our proceedings should be brought, as I hope by common consent, to a termination. By far the greater part of the contents of the treaty have been examined, argued and revised, with the assistance of the Turkish delegation, over and over again. To a not inconsiderable portion they have already given their assent. As regards the remainder, there is nothing in the articles or declarations of which they have not been made fully aware. It is not possible for the Turkish delegation or for the Angora Government to declare that they are being confronted with a surprise, or with a menace. One and all, we have endeavoured to frame this treaty not by methods of pressure or of dictation, but by methods of conciliation, compromise and negotiation. The Allies, however, came to the unanimous conclusion that more could not be expected from further meetings of commissions and sub-commissions; and accordingly we have drawn up in the form of a definitive treaty the essential conditions upon which, on each aspect of the case, we are convinced that a general and honourable peace can be concluded, and this is the treaty that we submit to the conference to-day.

It will presently be my duty as chairman of the First Commission to explain in some detail the lines upon which we have proceeded and the immense concessions that we may fairly claim to have made. I shall then be followed by the chairmen of the two other commissions, Marquis Garroni and M. Bompard, who will make a similar explanation of those parts of the treaty for which their commissions and sub-commissions have been specially responsible. And here let me say a word in passing about the regrettable disappearance from our midst of the senior French plenipotentiary, M. Barrère, who contributed so much by his dignity and tact to our earlier proceedings, and whose absence we all deplore. But before I proceed to my personal task, let me call your attention to certain aspects of the treaty as a whole.

In the first place, although the inviting parties have perhaps played the largest part, in conjunction with the Turkish and Greek delegations, in the preparation of the text, it will, I believe, be found that it meets with the general approval of all the Powers who are represented at this table or who have assisted at one stage or another in our deliberations. Hopes were, I am told, built at one time upon discord between the principal Allies, or between them and the remaining Powers. These hopes have been falsified, because all were found without exception to be animated by a common interest. I cannot recall a single occasion upon which a disagreement between them on any point of importance has been manifested at this table; and the same remark applies to the part that has been played by the American delegation, who both inside this conference room and outside it have contributed materially to the unity of which I speak. Thus this treaty is the combined offer to Turkey not of a single Power or group of Powers, but of all the Powers who are primarily interested, whether in the re-establishment of peace or in the recovered welfare of the Turkish people.

Secondly, the treaty is an appeal, not to Angora or to the populations of Europe alone, but to the public opinion of the world. That opinion we fearlessly challenge. This is not a merely domestic affair. We want the world to pronounce whether the settlement that is now offered to Turkey is just and generous; whether it takes fair account of the legitimate aspirations of the Turkish people; and whether it offers to the Turkish Government conditions which will enable them, upon re-entering into final possession of their territories, to reconstitute the life of the Turkish nation without external intervention or internal servitude

Thirdly, I would like to call attention to the enormous advance that has been made towards meeting the Turkish case since first the European Powers began to

draw up the terms of peace three years ago. When we contrast the conditions of the former Treaty of Sèvres with those of the present instrument, I do not think anyone will be found to complain of a lack of generosity or concession here. In fact, we might be blamed for going too far. And this change has not been due simply to the fact that the Turks were victorious in the latest stages of the war with Greece, but to an increasing and sincere recognition of their own aspirations for national unity.

I have heard it said that some sections of the Turkish people believe that we want this conference to end in a rupture, and that there are even some who would welcome a resumption of war. That is a mad idea. I am convinced that it is not entertained by a single member of the Turkish delegation at Lausanne. Is there a solitary person in Europe, or even in Asia, who thinks that anything is to be gained by a recommencement of hostilities? More people would be killed, more countries would be devastated, more bitterness would be aroused; and the future, not merely of peace, but of Turkey itself, would recede further and further into the distance. Any fool can make war. It is the business of statesmen not to make war, but to end it—and I pray the Turkish delegation not to listen to the words of these wild counsellors, but to believe that there is not a delegate in this room, not a single man in the Allied countries, who would not view with horror the renewed march of troops, or the firing of guns. I am convinced that the same is true of Ismet Pasha and his colleagues.

I now turn to the work of the First Commission, which was appointed to deal with the questions of frontiers, the Straits, the islands, military and naval matters, minorities and some cognate subjects. I have had the honour of presiding over twenty-three meetings of this commission, five of which were devoted to Thrace, seven to the Straits, four to minorities, and the remainder to other matters. In addition, the sub-commissions, which I appointed, have held over sixty meetings; while the members of our delegations have further been engaged in almost hourly discussions, by day and often by night, with their Turkish and other colleagues.

We first dealt with the question of Thrace. Here we have recognised the resumption of the full sovereignty of Turkey over the whole of Eastern Thrace, and have provided for the safety of her frontiers, on both flanks, *i.e.*, against Bulgaria and against Greece, by the creation of demilitarised zones on both sides of the frontier. The security of Turkey from attack is further provided for by the allowance of large forces of gendarmerie in the Turkish demilitarised zones, and by the maintenance of a military force of 20,000 men in Eastern Thrace, including the garrison of Constantinople. On the western side, it is not in our power to concede the Turkish demand, which was not put forward till the last moment, for the main territory lying on the right bank of the Maritsa. But we have made a special concession of the bridge over the Maritsa at Adrianople, and of the enclave beyond it, which will give to that city a station on the right bank with access to the main railway. I have never been able to understand why the Turks, if they attach importance to complete and unbroken railway connection with Constantinople, should not themselves build a line for the short distance between Adrianople and Baba Eski —in which case they would obtain all that they desire.

As regards Western Thrace, I have so often stated in our earlier meetings the reasons for which it was found impossible by the Powers to upset the conditions established by the Treaty of Neuilly, or to agree to a plebiscite of the population, that I need not repeat them here.

If I turn to the Straits, I am again dispensed from recapitulating the conditions laid down for the free navigation of those waters, because they have already been published to the world, and because I am prepared to defend them should the matter be raised at a further sitting of my commission. But I would like to call attention to the attempt which we have made, since the commencement of these discussions, to meet the susceptibilities of Turkey, and to secure the adequate defence of her capital and its approaches. Not only did we withdraw any proposal to maintain permanent Allied garrisons at the mouth of the Dardanelles, but we reduced the demilitarised zones both there and on the Bosphorus at her request. We have provided for the maintenance of as many gendarmerie as Turkey may require on the Gallipoli Peninsula, and of a military garrison just outside it. We have excluded the Sea of Marmora from the demilitarised zones, and conceded to Turkey the right to construct such defensive works as she may consider necessary on the Asiatic shore, keeping open the necessary passage for ships by the non-fortification of the European coasts. Turkey's requests to transport her troops from one shore to the

other, and through the demilitarised zones, and to recruit in the latter, have been conceded. She will be allowed the use of aeroplanes and other methods for observation purposes. The Turkish fleet, unrestricted in strength, will be able to cruise and anchor in the Marmora and in the demilitarised zones, and a naval base and arsenal may be maintained at Constantinople, where also will be a land garrison of 12,000 men.

If we add to these provisions that the Powers have agreed to restrict the number and size of the foreign warships which may pass the Straits, to limit the duration of their stay there, to require them to report to Turkish signalling stations, to set up an international commission to check their number and tonnage, and to abandon their own long-established right to maintain stationnaires at Constantinople —it will be seen how far we have gone in the desire both to satisfy the sovereign claims of Turkey and to safeguard her capital.

But further, whereas we had insisted in the earlier stages of this conference upon arrangements for the adequate inspection of the demilitarised zones, whether in Thrace or on the Straits, by an Allied commission or by officers representing the interested Powers—a provision which was in itself entirely reasonable—when Ismet Pasha said that he could not sign a treaty containing such a clause we consented to withdraw it, and to trust to the honour of Turkey for the loyal observance of the agreement about demilitarisation.

Finally, we have inserted in the Straits Convention an article for which he pleaded strongly, giving a guarantee for the inviolability of the Straits zones and the Turkish capital on the part of the Powers.

I have spoken so far of the defence and protection of the Straits and of Constantinople from the inside. If we turn our gaze to the waters outside the mouth of the Dardanelles, we shall find that even greater safeguards are forthcoming. The Turkish delegation asked for the demilitarisation of the islands of Imbros, Tenedos and Samothrace. Of our own accord we have added the Island of Lemnos. We have gone even further. Although the Island of Imbros contains no Turkish population whatever, although its Greek inhabitants are among the most prosperous of the Levant; although the Island of Tenedos contains only a small Turkish minority; and although both these islands have for nearly ten years been in the possession of Greece; yet we are offering, in view of the proposals made in 1913–14, to restore them to Turkish sovereignty. Finally, stringent provisions have been introduced into the treaty at the request of the Turkish delegation, by which the central group of Ægean Islands, *i.e.*, Mytilene, Chios, Samos and Nikaria, will be demilitarised, so that they cannot possibly be made the base of military, naval or air attack upon Turkey.

I may here add that, whereas at one time it was proposed to place restrictions upon the strength or recruitment of the Turkish army in Asia, this proposal has not been insisted upon, and Turkey can henceforward make no complaint of her inability to protect herself. In fact, I should like to repeat here what I said at an earlier stage, that I do not think there is a State or a capital in the world occupying a position at all analogous to that of Turkey and Constantinople, which will be so fenced round with national and international guarantees as will here be the case. She reminds me of the moated castle of feudal times. If inside these defences, she is not able to look after herself, it will be her own fault and not that of anyone else.

As regards the frontiers of Turkey in Asia, I need only refer on the present occasion to the boundary between Turkish territory and the Kingdom of Irak, for which Great Britain is in a position of mandatory responsibility. The decision of this dispute, which we have been unable to solve in this conference, has been referred by the British Government, with the full support of her Allies, and with the unanimous approval, so far as I can see, of public opinion throughout the world, to the enquiry and decision of the Council of the League of Nations. The British Government might well have refused any concession on this point, since the claim is one which, in their opinion, Turkey has no legitimate ground for putting forward. But in their earnest anxiety to remove any possible cause of dissension, they have made this offer, which was publicly announced yesterday in Paris, and the further prosecution of which is now in independent and impartial hands.

The question of minorities is one which it fell to the lot of my commission to examine; and I cannot pretend to be satisfied with the result. In my judgment the Turkish delegation would have been well advised to adopt a more generous attitude. But they are the last who should have any cause for complaint of the articles in the treaty relating to this subject; since these represent the very minimum which the Allies could, with honour, accept. Indeed, there are omissions in the treaty on two

points—firstly, as regards the exemption of minorities from military service; and, secondly, as regards the application of the minority clauses to all minorities without distinction of race or religion—which have been severely criticised, but upon which the Powers gave way to the Turkish claims in their desire to secure an agreement.

The Allied Powers have further used their influence with the Greek delegation to secure that the difficult question of the exchange of populations shall be regulated upon a reasonable basis of reciprocity. They have persuaded the Greeks to agree to the return of all civil hostages in their hands immediately on the conclusion of a general agreement for the exchange of populations; they have induced the Greek Government to return all Turkish prisoners of war as soon as possible after the conclusion of a general agreement, without asking in return for more than an equal number of Greek prisoners of war; they have also, though it must be admitted with profound reluctance, agreed that the proposed exchange of populations shall be conducted on the basis advocated by the Turkish delegation, namely, that of compulsory expatriation; and, finally, they have induced the Greek delegation to agree to the unconditional exclusion of Western Thrace from the scope of any exchange agreement although the Turkish delegation have subjected the corresponding retention of the Greek population in Constantinople to several very onerous conditions.

These are a few among the many concessions which have been made by the Powers in their desire to conclude a peace which would be speedily and loyally accepted by both parties. I daresay that these concessions will be minimised by Ismet Pasha here. He may even repeat the paradoxical contention in which I heard him once indulge that the concessions have come from Turkey rather than from the Powers. But that mild jest will be understood at its real value by everyone outside this room as well as inside it, and when his Excellency returns to Angora, as we hope he may do with the signed treaty in his pocket, it is certain that there will be no reproaches for Ismet Pasha's concessions, but rather a pæan of congratulations upon his triumphs.

There now only remains for me, before I resign the chair to my colleagues, to speak of the reception which this treaty may meet with to-day. As to its reception by public opinion I entertain no doubt. It is much more likely to be criticised for what it gives away than praised for what it obtains. But no one at least will describe it as oppressive or harsh. Rather will it be cited as a great effort of magnanimity and conciliation.

What his Excellency Ismet Pasha may say about it I cannot predict. I should like to think that he will accept the treaty straight away, and thus bring to a quick conclusion both our own labours and the still unterminated state of technical hostility between Turkey and those who wish to be her friends. He has often told me in this room and elsewhere that he sincerely desires peace, and I have believed and continue to believe him. I fancy that he entertains the same conviction about myself and about my colleagues in this hall. I have told him that a Turkey liberated, re-established and secure, will receive the friendship and the assistance of my Government and my country, and I may be pardoned if I add that these are advantages which are not lightly to be thrown away.

There is another alternative which I am certain that he will not adopt. He will not reject this treaty, for that would be an act inconsistent not only with all his professions since he has been here, but with the interests of his own country, of which he has shown himself so redoubtable a champion. That is a hypothesis which I decline even to consider.

If, on the other hand, he asks for a little further time to consider our proposals in their entirety before delivering his formal reply, that would be a request which I for one would be slow to refuse. But I hope that in that case his Excellency will not imagine that we are willing to commence the whole procedure over again, and that by further haggling and chaffering he will succeed in upsetting the work of the past three months, and starting a new conference either here or in some other spot. In such a conference I, at least, could take no part. We are here, not to go on bargaining until we all sink into the grave, but to settle and conclude. We are not buying or selling a carpet in an oriental bazaar, but are dealing with the destinies of nations and the lives of men. If Ismet Pasha, when his deliberations are complete, asks me to come back here and sign this treaty I will gladly oblige him, and so I am sure will my colleagues from whatever distance.

I once heard a wise man defined as one who never refuses a good offer. I conclude by commending this excellent saying to the head of the Turkish delegation

No. 182.

The Marquess Curzon of Kedleston to Mr. Lindsay.—(Received February 2.)

(No. 256.)
(Telegraphic.) R. *Lausanne, February 1, 1923.*

FIRST Commission met this morning to consider Straits Convention attached to treaty. Turks made their adhesion conditional upon admission of Turkish garrison to Gallipoli and withdrawal of limitation placed upon Turkish military forces in Thrace. This, however, must not be taken too seriously.

Chicherin then made a series of speeches, complaining that Russia had been ignored in preparation of convention, that an attempt was being made to impose it upon her, and that her counter-proposals had never even been examined.

I replied that this was because not one of the ten Powers represented at the table had had a good word to say for them and that Russia's acceptance of convention was voluntary, and we all hoped it would be given

Chicherin retorted with formal refusal to append Russian signature, which, however, I expressed a hope might be given at a later date. His Majesty's Government must not be surprised at this *dénouement*, which in the circumstances was inevitable.

This afternoon, as foreseen in my telegram No. 251, Ismet came to see me alone and spent two hours in conversation. I told him plainly that the time for public argument was past, that a treaty had either to be signed or not signed by Sunday next, beyond which I refused in any circumstances to stay, and that we had better settle down, not as rival disputants, but as good friends, to discuss whether there were any points still unresolved, upon which I could aid him in arriving at solution. A Turk up to the end, he then put me *seriatim* through all the territorial points upon which we have fought for months, and which have been decided against him—Karagatch-Maritza Railway, autonomy in Imbros and Tenedos, Gallipoli garrison, war graves, Turkey's military forces, Mosul. I declined to give way in any of these respects, pointing out that concessions had been carried out in my commission to point of weakness, if not almost of humiliation. He then broached Capitulations and finance. As to former, I declared that we must insist as to judicial guarantees in a transitional period, but that I was already drawing up a formula which might perhaps be more acceptable to Turkish susceptibilities than words hitherto proposed. This formula, which goes to the very limit of concession thought by our authorities to be safe, will be shown to Bompard and Garroni to-morrow, and, if accepted by them, will be sent to Ismet. As to finance, we went through various points on which Turks still plead for concessions, but which really concern French more than ourselves; and I have since consulted Bompard as to possibility of any way of meeting Turkish views. Something may be possible in this respect.

I then asked Ismet whether, if he signed, he could guarantee ratification by Angora Assembly. He answered that, provided he could get additional assurances or concessions that would justify his signature, he could guarantee immediate ratification; but that if proposed treaty were sent to Angora without his signature, it would be torn to pieces. I can hardly say whether interview was satisfactory or reverse. The odds are about evenly balanced; but more encouraging symptom is that Turks are discovered to have gone to a local engraver and ordered a first-class seal. In any case, I leave on Sunday, and shall arrive in London Monday afternoon.

No. 183

The Marquess of Crewe to the Marquess Curzon of Kedleston.—(Received February 2.)

(No. 127.) [By Bag.]
(Telegraphic.) *Paris, February 1, 1923.*

MY telegram No. 126

The Lausanne bombshell, which was, so far as I can gather, manufactured in the Quai d'Orsay laboratory, caused so loud an explosion in Paris that

M. Poincaré now sees fit to deny all knowledge thereof. M. de Peretti spontaneously telephoned the following "explanation" to Mr. Phipps this morning:—

M Jean Herbette, who is very pro-Turk, and whose views do not in the least represent those of the Quai d'Orsay, published in his leading article in the "Temps" on 30th January the announcement (of which the substance was given in the last paragraph of my telegram No. 121) respecting the supposed communication made on the 29th instant by the French Government to Angora. The Havas Agency, in transmitting this announcement to Lausanne and London, omitted to precede it by the following words: "the 'Temps' says"; and hence the misunderstanding due entirely to M. Herbette's lively imagination. Mr. Phipps enquired how it was that M. Herbette had evolved so important a statement out of his own brain, but M. de Peretti failed to enlighten him.

The Quai d'Orsay *démenti* carries no conviction here, and M. André Tardieu in the "Echo national," at the end of his article attacking M. Poincaré for his Eastern policy, and describing the "Temps" as the official organ in France of the Kemalists, scoffs at it and at the Quai d'Orsay's endeavour to saddle the "Temps" with sole responsibility in the matter.

What exactly happened it is difficult to say, but meanwhile certain organs of the press try to make out that I was shown the text of the famous communication by M. Poincaré and that I congratulated him on its terms. This is, of course, an invention merely confusing the issue, for I have not seen the President of the Council since dining with him on 27th January, when he merely told me that he had telegraphed to Mustapha Kemal urging him to sign the treaty. I consider, however, that this incident has only harmed M. Poincaré himself, M. Peretti della Rocca and M. Jean Herbette, both of whom have, I understand, been severely reprimanded by the President of the Council. I do not, therefore, propose to issue any *démenti* in the matter.

M. Herriot, in the "Information," expresses relief at the better news from Lausanne to-day, but declares that it would be inconceivable for France to appear to break her word and to sign any separate agreement with Turkey in violation of the letter or spirit of the agreement of September 1914. If the French Government continued their policy towards England of pin-pricks and aggressive insinuations they would end by bringing about the isolation of France. The preservation of what remains of the Anglo-French Alliance was indispensable for the settlement of to-morrow and for French security for all time.

M. Gauvain, in the "Journal des Débats," in an article headed "A Press Scandal," makes a violent attack on the Quai d'Orsay for its method over the Lausanne incident. He enquires of what use it is to spend millions of francs on propaganda when news likely to hinder, or even ruin, French action abroad is allowed to issue from French political centres themselves. Alluding to M. Herbette's intimacy with the Quai d'Orsay, he enquires whether it is that institution which keeps the press informed, or whether it is certain journalists who inspire its bureaux.

The "Journal des Débats" considers it just possible that M. Herbette may have made a confusion between the text of the telegram actually sent to Angora and certain secret instructions addressed to M. Bonnard not intended for publication. It points out the danger of reserving for one particular newspaper confidential information of the French Government, and declares that it is indispensable that this system should be changed, for public opinion abroad cannot be expected to be aware of the subtle methods of imparting information practised by the Quai d'Orsay.

The same journal gives the substance of M. Poincaré's note of 30th January, transmitted to your Lordship in my telegram No. 122 of yesterday, of which it states that it was informed at the Foreign Office in London and expresses surprise that the possibility of a separate peace between France and Turkey is therein contemplated. It also expresses unbounded astonishment at the similarity (to which I had the honour to call your Lordship's attention in the last paragraph of my telegram No. 126 of yesterday) between the terms of that note and M. Jean Herbette's leading article in last night's "Temps," which reproduced the essential ideas and arguments used in a diplomatic document regarding which no communication had hitherto been made to the press in general.

No. 184.

Mr. Henderson to the Marquess Curzon of Kedleston.—(Received February 2.)

(No. 49.)
(Telegraphic.) D. *Constantinople, February 2, 1923.*

YOUR telegram No. 23.

Neither of my colleagues has received instructions, and French High Commissioner is, I know, strongly opposed to making such request to manager of Ottoman Bank, who he declares would probably refuse to act on instructions of High Commissioners to sell gold in question.

No. 185.

Mr. Henderson to Mr. Lindsay.—(Received February 2.)

(No. 50.)
(Telegraphic.) D. *Constantinople, February 2, 1923*

FOREIGN OFFICE telegram No. 24 and Lausanne [? telegram No. 80]

Silver marks are being sent on French warship to Toulon, but arrangements for similar disposal of gold francs have been cancelled, as result of subsequent instructions to French High Commissioner from Paris, on the ground that they are private property.

(Repeated to Lausanne, No. 67.)

No. 186

Mr. Henderson to Mr. Lindsay.—(Received February 2.)

(No 51.)
(Telegraphic.) *Constantinople, February 2, 1923.*

I AM told by sometimes well-informed source that French Government has been requested to send at once responsible agent to Mersina or other suitable port to confer with Mustapha Kemal, and remove misunderstandings as to recent policy of France towards Turkey. It is added that he should have full powers to sign a treaty.

I cannot vouch for report, which may be inspired by its inherent possibility in view of Mustapha Kemal's proposed journey to Adana, and recent French declaration.

(Addressed to Lausanne, No. 68.)

No. 187.

The Marquess Curzon of Kedleston to Mr. Lindsay.—(Received February 2.)

(No. 258.)
(Telegraphic.) *Lausanne, February 2, 1923.*

I AM a good deal concerned at not having heard that communication to President of the Council in my telegram No. 253 has been authorised by His Majesty's Government. Explanations given in French press do not in the least affect substance of the case. Whatever may have been contents of President of the Council's telegram to Mustapha Kemal, and whether or not communication published in "Temps," and alleged to have been sent to London, Rome and Lausanne was correct, it is evident from official instructions given to French High Commissioner at Constantinople, and reported in Acting High Commissioners's telegram No. 64 to me, that President of the Council did act in exact way described in "Temps" and in my telegram; *i.e.*, he officially informed Angora representative–

1. That treaty submitted by common consent of Allied Powers here was not last word;

2. That French Government, as distinct from Allies, were prepared to discuss modifications in it; and

3. That French delegation, as distinct from Allied delegations, had been instructed to keep in touch with Turkish delegation.

These instructions are precisely those to which I called attention of His Majesty's Government, and they constitute a deliberate and unpardonable attempt on the part of France to jettison treaty presented at Lausanne, to sever herself from her allies, and to enter upon separate negotiations with Turks. As such, these instructions appear to me to be an act of treason, not only to understanding upon which I have been acting here in circumstances of greatest difficulty for the last ten weeks, but also to general *entente* between France and Great Britain which is openly betrayed by such an act, and they have been very generally interpreted in this sense in French press.

It seems to me impossible, therefore, to pass over such a proceeding in silence, and unwise to indulge in any delay in making necessary protest.

Since above telegram was put into cypher I have received your telegrams Nos. 127 and 132. You probably have not seen Acting High Commissioner's telegram which I am repeating to you, and [? group omitted] still renders representation necessary. Situation, so far from being altered, seems to me, on the contrary, to have been confirmed. In these circumstances, I request you to ask for full explanation from President of the Council in the light of High Commissioner's telegram. Larger issues raised by his note will be dealt with in our promised despatch.

(Addressed to Paris, No. 24.)

[E 1341/1/44] No. 188

The Marquess Curzon of Kedleston to Sir Eyre Crowe.—(Received February 2.)

(No. 259.)
(Telegraphic.) R. *Lausanne, February 2, 1923.*

THIS morning a prolonged and, at times, heated discussion took place in my room between Allied delegations to settle upon final concessions which it is permissible to make to Turkish delegation in order to secure, if possible, their signature to the treaty. Most difficult is that of judicial capitulations, upon which any formula containing real guarantees is almost certain to be rejected by Turks while a camouflaged surrender will deceive no one. After a protracted debate the matter was referred to the Drafting Committee, who are sitting now to consider whether any modifications in existing draft can be proposed. On financial clauses it was agreed to divide capital of Ottoman Public Debt without requiring consent of bondholders, although latter would probably not have been refused, and to reduce Allied claims for reparations from 15,000,000*l.* to 12,000,000*l.* M. Bompard was very solicitous that I should surrender 5,000,000*l.*, estimated value of two battleships, in further reduction of this claim, and that I should consent to antedate annuities to October 1918, a concession which would have involved an additional burden on Irak of 30,000*l.* per annum; I declined to agree to either of the concessions. Further, it was proposed to find a formula which would exclude from treaty specific mention of Turkish claims for Greek reparations estimated at the absurd figure of 160,000,000*l.* We also agreed to reduce from five years to one year period during which commercial convention concerning tariff shall remain unaltered as affecting signatory States bordering on Turkey. I also offered, with approval of my military advisers, to abandon restrictions on numbers of Turkish army in Thrace, a point to which Turks attach much importance.

These various concessions are to be embodied in a letter which Bompard, Garroni and I will present to Ismet Pasha personally to-morrow morning.

(Repeated to Paris.)

No. 189.

The Marquess Curzon of Kedleston to Mr. Lindsay.—(Received February 2.)

(No. 261.)
(Telegraphic.) D. *Lausanne, February 2, 1923.*

FOLLOWING telegram received from Constantinople, No. 64:—

"French High Commissioner informs me that under instructions from his Government he made communication yesterday to Adnan Bey to the effect that present treaty in no way constituted ultimatum, that French Government were prepared to discuss modifications of it, and that French delegation had been instructed in the interest of peace to keep contact with Turkish delegation.

"I gathered that, while laying stress on extent of concessions made, French High Commissioner's instructions included an expression of readiness of France to examine any further claims made by Turkey in spirit of benevolence."

No. 190.

The Marquess of Crewe to Mr. Lindsay.—(Received February 2.)

(No. 132.)
(Telegraphic.) *Paris, February 2, 1923.*

LAUSANNE telegram No. 253.

As reported in my telegram No. 127, situation was altered yesterday by *démenti* given out by French Government to the effect that they knew nothing of any communication to Angora in the sense referred to. In these circumstances I do not think it advisable to say anything more to French Government in the sense outlined in your Lordship's telegram beyond reply which you will doubtless consider necessary to French Government's note of 30th January (see my telegram No. 122). That note was a résumé of substance of President of Council's observations to me at interview reported in my despatch No. 213, and, while I feel a reply is called for, I would point out that situation has been considerably modified by yesterday's denial of communication to Angora.

(Repeated to Lord Curzon.)

No. 191.

The Marquess Curzon of Kedleston to Mr. Henderson (Constantinople).

(No. 25.)
(Telegraphic.) D. *Foreign Office, February 2, 1923.*

MY telegram No. 23 of the 27th January: Sale of gold at Imperial Ottoman Bank for refund of advances made by the Ottoman Debt.

We learn that Imperial Ottoman Bank is making difficulties about sale of the gold, and accordingly Italian delegation at Lausanne intend suggesting that a sufficient quantity of the gold be handed over to the Ottoman Debt Council by the Imperial Ottoman Bank, and that the two advances be repaid in this manner. In the event of this alternative proposal being made, we are prepared to agree to it.

(Repeated to Lausanne, No. 168.)

No. 192

Mr. Lindsay to the Marquess Curzon of Kedleston (Lausanne).

(No. 169.)
(Telegraphic.) D. *Foreign Office, February 2, 1923.*

FRENCH Counsellor of Embassy has made following verbal communication:

French High Commissioner at Constantinople telegraphed that if Lausanne Conference breaks down it is highly probable that Turks may request Allies to withdraw their troops from Constantinople. He himself would be in favour of maintaining them there on political grounds unless military reasons made withdrawal imperative, and unless other Allies withdraw.

French President of Council is of same opinion. He points out that this question reinforces his thesis that presentation of draft treaty does not mark end of negotiations, and that possible refusal of Turks to sign does not necessarily involve rupture. Withdrawal would, in his opinion, be unnecessary and unsuitable; maintenance would avoid panic of local Christians, and would afford leverage for further negotiations with the Turks. He enquires what answer His Majesty's Government would return to the possible Turkish request for withdrawal if conference terminates without a settlement.

[E 1347/1/44] No. 193.

Ismet Pasha to M. Bompard.—(Communicated by British Delegation (No. 115): Received in Foreign Office, February 3.)

Lausanne, le 30 janvier 1923.

M. le Président,

J'AI l'honneur de vous faire parvenir sous ce pli la réponse de la délégation turque aux observations présentées par la délégation hellénique, en date du 25 courant, sur le mémorandum turc du 20 janvier 1923

Veuillez agréer, &c.
ISMET.

Enclosure 1 in No. 193.

Memorandum.

LA délégation turque a l'honneur de répondre comme suit aux observations que la délégation grecque a présentées sur le mémorandum turc du 20 janvier 1923.

La délégation turque ne croit pas qu'il soit nécessaire de réfuter longuement la thèse hellénique, selon laquelle les réclamations grecques pourraient être supérieures, égales ou même comparables à celles de la Turquie.

Il serait, en effet, difficile de faire croire au monde que la Grèce, qui n'a pas été envahie, puisse avoir subi des dommages approchant, même de très loin, ceux de la Turquie, dont les plus riches provinces ont été ravagées à fond par les Hellènes.

D'autre part, il est étrange de voir la Grèce demander à la Turquie le paiement des frais d'entretien de son armée d'occupation, surtout après les dévastations causées par cette armée, et alors que les grandes Puissances elles mêmes ont renoncé au recouvrement des frais de cette sorte

Quant aux Grecs émigrés de Turquie à la suite de la débâcle hellénique, chacun sait qu'ils ont été emmenés de force par les troupes grecques Le Gouvernement hellénique n'est donc en droit d'élever aucune réclamation à ce sujet.

Il est, en outre, évident que la Grèce en emmenant ces émigrés chez elle a réalisé une opération fructueuse, car, une fois que cette population se sera casée en Grèce, elle sera pour le pays une source de richesse et de prospérité Chacun sait également que le Gouvernement turc a eu à subvenir à des dépenses de cette sorte pour entretenir et installer des émigrants turcs ou musulmans venus en Turquie de Grèce et d'ailleurs.

Sans trop insister sur ces questions, où le bon droit de la Turquie est plus qu'évident, la délégation turque tient à répondre point par point aux autres parties de la note grecque

La délégation hellénique décline toute responsabilité au sujet de l'incendie de Smyrne, qui, d'après ses insinuations, aurait été causé par les autorités turques, et déclare que, les immeubles détruits appartenant entièrement aux chrétiens qui ont émigré, la Turquie n'a de ce chef droit à aucune réparation.

La délégation turque ne peut, sans protester hautement, laisser insinuer qu'une ville pour la délivrance de laquelle la Turquie tout entière s'est levée comme un seul homme et a lutté plus de trois années ait été au lendemain de sa prise incendiée par ceux-là mêmes qui l'ont délivrée.

Il serait, d'autre part, étrange que les Grecs, qui ont complètement détruit vingt et une villes de l'Asie Mineure et ruiné en grande partie cinq autres villes au moyen de détachements, spécialement préposés à cette tâche, aient pu se résoudre à laisser intacte la plus importante des métropoles de l'Anatolie; les déclarations de leurs généraux et de leurs chefs religieux proclamant, après la note du 26 mars 1921 des Puissances alliées, leur décision de ne laisser qu'un monceau de ruines pour le cas où on les obligerait à évacuer ce qu'ils appelaient l'Hellade micrasiatique, et les bandes gréco-arméniennes qu'ils se sont mis à organiser dans ce but démontrent jusqu'à l'évidence que la destruction de Smyrne faisait partie du programme grec; l'occupation rapide de la ville par l'armée turque au moment où l'on ne s'y attendait pas encore empêcha l'entière exécution de ce plan. Une fois la ville occupée, les bandes gréco-arméniennes chargées de détruire la ville ne pouvaient évidemment incendier le quartier musulman, dont ils n'auraient pu se rendre maîtres; force leur fut donc de mettre le feu aux quartiers qu'ils habitaient, c'est-à-dire aux quartiers grecs et arméniens, dans l'espoir que, le vent aidant, la ville tout entière brûlerait

Le rapport d'un neutre, M. Grescowitch, commandant des sapeurs-pompiers des compagnies d'assurance étrangères de Smyrne, qui était particulièrement bien placé pour connaître la vraie nature des événements susmentionnés et dont nous remettons ci-inclus une copie, montre quels sont les vrais auteurs de l'incendie de Smyrne.

L'assertion de la délégation hellénique comme quoi tous les immeubles détruits appartiendraient à des non-musulmans n'est d'ailleurs pas conforme à la réalité, car la plupart des maisons de rapport, entrepôts, &c., se trouvant sur les quais et dans le quartier commercial de la ville, étaient la propriété des musulmans.

D'autre part, la Turquie est parfaitement en droit de réclamer la réparation de tous les immeubles détruits sur son territoire, y compris ceux appartenant aux Grecs émigrés, car, tout d'abord, toutes ces propriétés font partie de la richesse nationale et ensuite, d'après la convention pour l'échange des populations, ces immeubles sont destinés à abriter les musulmans qui émigreront de Grèce, en y laissant intactes leurs maisons, leurs fermes, &c

La délégation turque se voit également obligée de relever que les chiffres relatifs à la population de l'Anatolie occidentale donnés par la délégation hellénique sont tout simplement fantaisistes: c'est, d'ailleurs, avec de pareilles statistiques que la délégation qui, de 1918 à 1920, représenta la Grèce à la Conférence de la Paix, induisit en erreur le monde entier, et fut cause de toutes les calamités qui fondirent depuis lors, tant sur la Turquie que sur la Grèce elle-même. La délégation turque maintient donc les chiffres qu'elle a fournis et qui, étant les seuls établis par des autorités compétentes, sont les seuls présentant des garanties d'authenticité; elle affirme encore une fois que l'invasion grecque a diminué la population musulmane dans la proportion qu'elle a eu l'honneur de faire connaître et que cette diminution est due en partie aux massacres et en partie aux émigrations auxquelles les habitants de cette contrée ont été contraints.

Pour avoir une idée de la façon dont les troupes et les autorités helléniques agissaient envers la population musulmane, il suffit de parcourir le rapport de M. Maurice Gehri, délégué du Comité international de la Croix-Rouge, qui, du 12 au 22 mai 1921, parcourut une partie de la presqu'île de Samanli-Dag, située à trois heures de navigation de Constantinople. Ceux qui auront vu par la lecture de ce rapport comment les Grecs massacraient et réduisaient à l'émigration les populations musulmanes aux portes mêmes de Constantinople et sous les yeux des missions étrangères, pourront se rendre compte de la façon dont ces mêmes Grecs ont pu, loin de tout témoin indiscret, dépeupler l'intérieur de l'Anatolie. On peut également consulter avec fruit à ce sujet l'ouvrage de M. le Professeur Toynbee intitulé "Eastern Question." La délégation hellénique dépasse donc vraiment la mesure lorsqu'elle prétend que les Grecs ne sont pour rien dans la fuite des musulmans épouvantés à l'approche des envahisseurs

La délégation hellénique estime exagérée la somme de £T. 7,000, ou plus exactement £T. 6,580, représentant la valeur moyenne des bâtiments urbains détruits. Or, cette somme est à peine égale à 20,000 fr. or, et les immeubles détruits sont ceux des villes les plus riches, les plus commerçantes et les plus industrieuses de la Turquie; parmi les bâtiments susmentionnés se trouvent des mosquées, des écoles, des entrepôts, des manufactures, des minoteries, des bains publics, &c. Tout esprit impartial reconnaîtra qu'avec 20,000 fr. on peut difficilement construire aujourd'hui une maison des plus modestes, même dans les pays n'ayant pas pris part à la guerre générale. Pour montrer combien les estimations des autorités turques sont modérées, qu'il nous suffise de dire qu'après l'armistice de 1918, des maisons françaises avaient offert à la municipalité de Constantinople de monter pour les sinistrés des incendies, des baraques en bois de deux à trois pièces coûtant de 35,000 à 40,000 fr., ce qui, au change d'alors, n'était pas inférieur à 20,000 fr. or.

Contrairement aux imputations absolument gratuites de la délégation hellénique, l'armée turque n'a détruit aucune localité en Asie Mineure, et les destructions opérées dans une zone très restreinte par des chefs de bandes comme Anzavour, qui, d'ailleurs, se mirent ensuite à la solde du Gouvernement grec, sont insignifiantes devant l'étendue des ravages causés directement par les troupes et autorités helléniques.

D'autre part, la note du 20 décembre 1922 de la délégation hellénique à laquelle celle-ci se réfère dans sa réponse au mémorandum turc du 20 courant contient des aveux précieux qui sont à retenir. La susdite délégation reconnaît, en effet, les accusations dirigées contre son pays en déclarant textuellement: "des villages ont été brûlés par l'armée hellénique au cours de sa retraite du Sakaria en vue d'empêcher leur utilisation par l'ennemi dans des buts de campements, mais il est à noter que

ces villages étaient vides d'habitants et de meubles au moment de leur destruction . . . . &c." Et plus loin: "à la fin de l'été dernier, plusieurs maisons de villes et villages ont été détruites parce que leurs habitants avaient tiré sur les troupes grecques ou bien, parfois, sans autre motif que le relâchement, souvent complément, malheureusement, de la discipline militaire."

La délégation turque tient, de son côté, à remarquer que les villages détruits, contrairement aux lois de la guerre et aux conventions internationales, lors de la retraite du Sakaria, n'étaient vides ni d'habitants, ni de meubles, comme en fait foi le rapport que Miss Annie Allen et Miss Florence Billings, membres de l'American Relief Mission, adressèrent à son Excellence l'Amiral Bristol, Haut-Commissaire des Etats-Unis d'Amérique à Constantinople, à la suite de leur tournée dans la région immédiatement après la retraite grecque. De plus, les quelques maisons qui, aux dires de la délégation hellénique, auraient été détruites par des soldats débandés atteignent le nombre de 160,739, et leur destruction fut en réalité, comme en fait foi les rapports de MM. Rodolphe Haccius et Henri Guénod, délégués du Comité international de la Croix-Rouge, "méthodiquement perpétrée" (Revue internationale de la Croix-Rouge," novembre 1922, page 970).

La délégation hellénique cite d'ailleurs, avec assez de désinvolture le rapport ci-dessus mentionné de MM. Haccius et Guénod, qui, comme ils le déclarent, n'ont visité qu'une petite partie des régions dévastées. Si cette délégation avait consulté le tableau figurant à la page 971 du même document, elles auraient constaté que, dans quatre villes seulement, il y avait 25,336 habitations détruites sur 27,026 existant avant l'occupation hellénique, et que 70,000 personnes s'y trouvaient sans abri.

Le chiffre de 160,739 donné par la délégation turque pour les bâtiments détruits dans toute l'Anatolie occupée n'est donc nullement exagéré d'après le rapport même auquel ne craint pas de se référer la délégation hellénique.

Il nous reste à traiter la question de l'estimation faite par les autorités turques au sujet de la valeur des immeubles détruits, estimation que la susdite délégation juge fantastique.

La moitié environ des 160,739 bâtiments indiqués dans le mémorandum turc se trouve dans les villes, car aux 73,070 immeubles urbains du tableau I de ce mémorandum il faut ajouter les immeubles urbains détruits dans les autres villes de l'Anatolie où les destructions ont été relativement peu importantes et qui sont compris dans les chiffres donnés au tableau II.

Comme, d'autre part, le nombre des villes épargnées est très faible, on peut affirmer sans exagération que les trois quarts des bâtiments urbains se trouvant en Anatolie occupée ont été détruits et ces destructions ont toujours porté sur les villes les plus prospères et dans chaque ville sur les quartiers les plus riches. Il en résulte qu'au point de vue de la valeur, les immeubles détruits représentent au moins la moitié des immeubles existants dans les régions dévastées avant l'occupation, ce qui fournit le chiffre de £T. 1,320,000,000, soit environ 4 milliards de francs-or pour la valeur des habitations existant en Anatolie occupée avant les dévastations grecques. En admettant que le prix des constructions ait, depuis 1914, haussé de deux fois et demi par rapport à l'or, on aurait pour la valeur d'avant-guerre de la propriété bâtie en Anatolie occupée le chiffre de 1,600,000,000 de francs-or.

Si maintenant au lieu de calculer, comme le fait la délégation hellénique, la valeur des immeubles existant dans toute l'Anatolie en se basant sur le chiffre de la population, ce qui ne signifie rien, vu que les régions dévastées sont, comme le démontre le mémorandum turc du 20 courant, incomparablement plus riches que les autres régions de l'Anatolie, on faisait le même calcul en se basant sur l'impôt foncier, on arriverait à des résultats beaucoup plus conformes à la réalité.

Le mémorandum turc précité indique que, en 1912, les régions dévastées payaient 17 pour cent de l'impôt foncier de toute l'Asie Mineure. On peut donc en déduire que la valeur d'avant guerre de la propriété bâtie dans toute l'Anatolie est d'environ 3,400,000,000 de francs. L'écart entre ce chiffre et celui de 40 milliards auquel aboutit la délégation hellénique démontre que l'estimation des dommages faite par les autorités turques n'est nullement fantaisiste, mais que, au contraire, la délégation hellénique s'est, pour les besoins de sa cause, livrée à des calculs dont la base erronée devait conduire à des résultats fantastiques destinés à discréditer les légitimes réclamations de la Turquie.

D'ailleurs, pour le cas où la délégation hellénique trouverait des entrepreneurs qui se chargeraient de reconstruire les bâtiments détruits dans les régions dévastées même au quadruple du prix estimé suffisant par la susdite délégation dans sa note du 20 décembre dernier, la Turquie serait prête à accepter un pareil marché.

D'autre part, la délégation hellénique ne nie pas dans sa note du 20 décembre 1922 et dans ses observations du 25 courant que les troupes grecques aient dévasté l'Asie Mineure. Toute son argumentation se réduit à déclarer que les réparations demandées par la Turquie sont exagérées; nous venons de démontrer que, au contraire, nos estimations sont des plus modérées. La justice et l'équité exigent donc que les dommages subis par la Turquie soient intégralement réparés.

Enclosure 2 in No. 123.

Rapport concernant l'Incendie de Smyrne, remis par M. Grescowitch, Commandant des Sapeurs Pompiers des Compagnies d'Assurances

J'AI l'honneur de vous rendre compte de ce qui suit

Au moment où la dernière offensive s'est déclanchée, les officiers et soldats hellènes ne se cachaient pas pour dire à qui voulaient les entendre: "Si nous sommes contraints à laisser Smyrne, nous brûlerons tout, nous démolirons tout."

Le 8 septembre 1922, à 6 heures du soir, j'ai vu, quand j'arrivai à hauteur de la maison habitée par Mr. Fullbridge, sujet anglais, et sise au No. 2 de la Rue Tchaouch (quartier Hadji Estan), deux soldats hellènes enflammer une boîte d'allumettes et la jeter par la fenêtre, dans la maison. Craignant pour ma sécurité personnelle, je n'ai rien dit aux soldats, mais j'ai attendu, pour partir, la complète combustion de la boîte.

Pour ne pas alarmer le propriétaire, je ne lui avais pas parlé de la chose. À partir du samedi 9 septembre, 2 heures de relevée, c'est-à-dire après l'entrée à Smyrne de la cavalerie turque, aucun incident ne se produisit.

Le dimanche 10, les Anglais ont débarqué de leur navire de guerre, un sous-officier et huit marins. Ces derniers allèrent à la Tour (d'incendie), d'où ils communiquèrent par signaux avec leur navire.

Les signaux durèrent jusqu'au lendemain.

Le 11, le sous-officier vint vers moi, un papier à la main il me dit:

"Voici l'objet de nos signaux: ils vont mettre le feu ce soir à l'hôpital turc de la quarantaine."

Le lendemain matin, je vis M. Jacques Missir, Secrétaire de la Commission de Sapeurs-Pompiers à Boudja, qui me dit que deux trains étaient arrivés la veille vers minuit, pour y prendre la colonie anglaise et la conduire à Smyrne, aux fins d'embarquement. J'ai compris qu'une calamité immaginable attendait Smyrne et que ce dont les Grecs nous avertissaient arriverait.

Le 11 et le 12 septembre, les sapeurs qui montaient la garde sur la Tour ont observé avec leurs lorgnettes l'activité des Arméniens sur les toits de l'église et d'autres lieux élevés. Ils m'en ont rendu compte, tandis que d'autres sapeurs me signalaient que du clocher les Arméniens communiquaient par code.

Pendant trois jours, du 10 au 12, le nombre des incendies qui se sont produits depuis le quartier arménien jusqu'au quartier "Téfédjik" dépasse en nombre les sinistres qui se sont produits dans l'espace de trente années.

Le 12, à 1 heure du matin, on m'a signalé un incendie dans le quartier arménien.

Au moment où les sapeurs-pompiers dépassaient l'hôpital grec, je vis un groupe de 120 à 150 femmes et enfants; ils poussaient des cris déchirants. Je leur ai demandé pourquoi ils criaient. Ils me répondirent:

"Nous habitons le Séviss Han. Les Arméniens l'ont incendié."

C'étaient des Grecs. Ils m'ont dit que de la maison contigue, les Arméniens ayant pratiqué une brèche le mur mitoyen, y avaient mis le feu.

J'ai protégé ces malheureux dans l'impasse, pour les mettre, le matin, à une patrouille.

Le 13 septembre à 10 heures 30 du matin, on me signale un incendie dans le quartier arménien. Pendant que je m'y rendais avec les pompes, j'ai vu brûler une maison arménienne, située à 50 mètres de l'église. Du rez de chaussée crépitaient des détonations et sortaient des flammes telles que je dus me retirer quelque peu en arrière.

Pendant que je travaillais à localiser le sinistre, on vint me dire que le feu avait pris à l'église arménienne. J'y courus avec mes hommes. Il était impossible

d'accéder à l'église par le jardin. Nous avons sauté par dessus les grilles, avons passé nos tuyaux. Nous constatâmes alors que ce n'était pas l'église qui brûlait. Les flammes qui nous avaient été signalées provenaient d'un lot d'environ 200 balles de marchandises et de vieux chiffons que l'on avait disposé dans le jardin à proximité d'une petite bâtisse. Sur les balles on avait posé 200 fusils et une quantité considérable de munitions, ce qui explique les détonations violentes et continues qui accompagnaient l'incendie. Nous en étions à travailler à circonscrire le sinistre, quand on vint m'annoncer un incendie en face de Basma Hané. Je me dépêchai sur les lieux avec mes hommes. Je constatai, en effet, que des flammes sortaient d'une maison arménienne.

Pendant que nous nous efforcions à étouffer les flammes, on vint nous avertir qu'il y avait le feu à Soghouk Tchechmé. Je m'y rendis avec deux sapeurs et étouffai le feu. Puis, je retournai à la maison de Basma Hané. J'y entendis des détonations formidables et la violence du feu augmentait à chaque instant.

À peine arrivé, on vint me dire de nouveau que l'église arménienne brûlait.

Pendant que, accompagné d'un peloton de sapeurs, je travaillais à éteindre l'incendie par l'eau, on m'en signala un autre à 300 mètres de là, à l'angle d'une rue située derrière.

Pendant le travail, je me suis retourné; ce n'était pas une seule maison, mais bien le quartier arménien en entier qui était devenu une véritable torche. D'au moins vingt-cinq endroits différents, on voyait les flammes s'élever. Nous étions dans un cercle de feu. De partout on tirait sur nous.

Voyant que nous étions cernés par les flammes, je dus battre en retraite sur un point où je n'aurais pas le feu derrière moi pour empêcher le sinistre de se propager plus avant encore.

J'en étais là quand on vint me signaler que le quartier arménien tout entier brûlait et que des détonations continues accompagnaient les flammes. Je compris alors qu'il ne m'était plus possible d'étouffer le feu par l'eau. Je me rendis de suite chez Kiazim Pacha, commandant de la place. Je lui exposai la situation en le priant de faire cerner le quartier arménien et de donner des ordres pour faire sauter à la dynamite les maisons solides se trouvant à proximité du sinistre. Le général m'adjoignit trente sapeurs commandés par un sergent. Nous nous rendîmes en auto-camions sur les lieux.

À peine arrivés, nous nous astreignîmes à faire sauter les maisons du quartier Ayadimitri. Malheureusement, étant donné le peu de résistance des murs, la dynamite n'y faisait que des trous. Les murs ne tombaient pas.

La puissance des flammes et la longue durée du sinistre ont fait que bientôt notre tuyauterie brûlait. Toutes les pompes aussi furent hors d'emploi. Nous continuâmes à travailler en vue d'éteindre le feu, quand on vint m'avertir que ça brûlait aussi à Péchtémaldji Tcharchi. Toute la ville était la proie des flammes. La violence du vent attisait le feu. Je me suis alors vu contraint à retirer du foyer de l'incendie mes hommes et mon matériel. Je formai quelques pelotons dans le but d'empêcher le feu de s'étendre aux quartiers encore indemnes.

Or, ayant avant la catastrophe acquis la conviction que le feu serait intentionnellement mis, j'avais été voir, le 11 septembre, le président du conseil de la Commission des Sapeurs-Pompiers, M. Bonnet. Je lui rappelai les indiscrétions des officiers et soldats hellènes et lui fit part de ma conviction que Smyrne serait mise en cendres et que les Grecs n'épargneraient rien pour réaliser leur but. J'ai prié donc le président de me donner carte blanche pour me procurer le matériel et le personnel nécessaire. M. Bonnet réunit le conseil d'administration, et j'exposai la situation à ces messieurs. Le conseil approuva mes propositions et je reçus l'ordre de laisser en permanence la pompe à moteur devant la Douane. J'ai refusé d'y accéder, craignant de la voir jetée à la mer.

Dans l'espace de deux jours, j'ai fait tout ce qu'il était possible au point de vue organisation et recrutement de personnel. J'ai fait tout ce qui était en mon pouvoir pour sauver Smyrne de la catastrophe.

Quoi qu'il en soit, le second jour, pendant que je travaillais à circonscrire le sinistre, on tira sur moi. Les balles ont atteint et troué les pompes.

Le Commandant des Sapeurs-Pompiers
des Compagnies d'Assurances de Smyrne,
GRESCOWITCH.

No. 194.

The Marquess of Crewe to the Marquess Curzon of Kedleston.—(Received February 3.)

(No. 134.) [By Bag.]
(Telegraphic.) *Paris, February 2, 1923.*

LAUSANNE telegram No. 252, last sentence.

As I prophesied in my telegram No. 90 of 24th January, French public opinion has shown more and more marked tendency to disapprove of M. Poincaré's Eastern policy. I added, however, that whatever M. Poincaré might do in the East would not for the present impair his parliamentary position, and this remains as true to-day as it was then. The Chamber yesterday evening decided by 488 votes to 68 to agree to M. Poincaré's request to adjourn *sine die* the discussion of all interpellations on internal or external policy in order to allow the Government to "poursuivre dans le calme l'opération pacifique et réparatrice qui s'accomplit dans la Ruhr." Even M. Herriot, who on previous occasions abstained from voting, threw in his lot with the majority, and declared that it was not the fate of the Government, but of the nation, that was at stake, and that the Socialist-Radical party, placing above everything the national duty, declined to create any difficulties which might injure the interests of France.

I cannot impress too strongly on your Lordship the fact that, whatever press attacks, and they have, as you will have observed, been violent lately, M. Poincaré's Eastern policy may have been subjected to, the Ruhr continues to hypnotise French public opinion to the exclusion of everything else. For nine Frenchmen out of ten even Lausanne itself is merely a side-show, and the feeling is general throughout France that a virtual state of war exists with Germany, and that, whatever may be the shortcomings of the present Government, it must be supported in the face of its enemy. The monstrous Lausanne incident doubtless caused an explosion of anger on the part of such eminent persons as MM. Tardieu, Gauvain, &c., but the effect created thereby wears off quickly, all real interest being concentrated on the German adventure. Well-informed opinion, however, fully realises the mendacity and double dealing of the Quai d'Orsay on this occasion, and it will not fail in the long run to damage M. Poincaré's personal prestige in this country.

No. 195.

The Marquess of Crewe to the Marquess Curzon of Kedleston.—(Received February 3.)

(No. 135.) [By Bag.]
(Telegraphic.) *Paris, February 2, 1923.*

MY immediately preceding telegram.

M. Tardieu, in to-day's "Echo national," continues to attack M. Poincaré over the Lausanne incident. He enquires: (1) Whether M. Poincaré did or did not telegraph anything on 29th January to General Pellé, to London, Rome and Lausanne; (2) whether that telegram informed the Turks that France continued to be ready to negotiate at Lausanne or elsewhere, viz., conclude a separate peace; (3) whether M. Poincaré addressed another note to me on the 31st ultimo in justification of a separate peace; and (4) or whether all the above press information was untrue, and whether M. Poincaré was right in declaring in his *démenti* of the 31st ultimo that he had never telegraphed either on the 27th or 29th ultimo or at any other time in the sense of a separate peace.

I understand that M. Gauvain, foreign editor of the "Journal des Débats," was sent for yesterday by M. Poincaré, and asked to desist from his attacks, but that he absolutely refused to do so, declaring that it was a question of conscience on his part. He continues in this evening's issue of that journal, though in somewhat less heated terms, to deplore the Eastern policy of the French Government in general, and the Lausanne incident in particular.

Lausanne correspondent of the "Débats" expresses the hope that another Anglo-French crisis may be averted, but declares that French interests now seem to be handed over to the good pleasure of the Turks, who hold the French at their mercy.

and abuse that fact in an impudent manner. The French Government could, four days ago, thanks to the firmness of British delegation, sign a very mediocre peace with the Turks, but the French Government had made extraordinary efforts to avoid doing even that much.

No. 196.

The Marquess of Crewe to the Marquess Curzon of Kedleston. (*Received February 4.*)

(No. 138.) By Bag.
(Telegraphic.)

Paris, February 3, 1923.

MY telegram No. 127 of 1st February, last paragraph.

M. Gauvain in "Journal des Débats" refers to statement current in to-day's French press to the effect that French Government caused a complaint to be made to Mr. Lindsay by M. de Montille at divulgation by the Foreign Office of the contents of M. Poincaré's note to me of 30th January (see my telegram No. 122). M. Gauvain points out that the contents of this note were published by the "Temps," which is in the confidence of the Quai d'Orsay, before any other divulgations (see my telegram No. 126). It was true, M. Gauvain observes, that the "Temps" did not mention the fact that a note had been presented on the subject of France's intention to conclude a separate peace with Turkey, but it expressed itself in such a way that it was easy to guess the origin of this information. M. Gauvain points out the quibble of the French *démenti* regarding the communication made on the 29th ultimo to Mustapha Kemal, whilst the communication had, in reality, been made to the representative of the Kemalist Government at Constantinople. He observes that the evil effect produced on the course of negotiations was the same whether that communication was made direct to Mustapha Kemal or through Adnan Bey, and he observes that the responsibility for the consequences of the divulgation does not fall either on His Majesty's Government or on those persons who have endeavoured to rectify the mistaken policy pursued by the French Government at a particularly important point.

M. Herbette in the "Temps" contents himself with expressing satisfaction at the better news received from Lausanne, and has the effrontery to declare that if your Lordship's primitive intention had been realised you would have returned to London to-day and a rupture would have ensued. Owing to the wise policy of the French Government the conversations were continuing and peace was not only possible, but well-nigh certain. It would be blindness to contest the services rendered by M. Poincaré, not only to France, but to all the Allies, the Turks and the world in general.

No. 197.

The Marquess of Crewe to the Marquess Curzon of Kedleston. (*Received February 4.*)

(No. 139.) [By Bag.]
(Telegraphic.)

Paris, February 3, 1923.

YOUR telegram No. 56; my despatch No. 280.

Following for Prime Minister:—

"I saw the President of the Council this evening and handed him the memorandum, of which a copy accompanies this. He is going to send a written reply in detail, but meantime maintained that his message to Constantinople merely repeated what had been announced both at Paris and at Lausanne. He had never agreed that an ultimatum should be presented to the Turks, and considered that it would have been a fatal mistake which he hoped had now been avoided, for he had greatly dreaded the prospect of our going to war with Turkey. He considered the tone of the memorandum decidedly unfriendly, and desired me to say that it would be a very serious matter indeed if it's terms were in any way divulged through the press.

"I am telegraphing to Lausanne, and will send fuller account of conversation to-morrow."

[E 1426/4/44] No. 198.

Mr. Bentinck to the Marquess Curzon of Kedleston.—(*Received February 5.*)

(No. 40.)
My Lord, *Athens, January 22, 1923.*

WITH reference to my telegram No. 30 of the 19th instant and to my telegram No. 33 of to-day, I have the honour to report that a mass meeting, attended by several thousand refugees from Asia Minor, Thrace and Pontus, was held here yesterday with the object of protesting against the proposed exchange of populations between Greece and Turkey, and of demanding that it shall be made possible for the Greek refugees from those parts to return to their homes.

2. A resolution which was adopted at the meeting was subsequently handed to His Majesty's Legation by a deputation of representative refugees, and of this I have the honour to enclose copy.* I was myself out at the time, and my French and Italian colleagues did not show themselves to the crowd. My American and Japanese colleagues, however, according to the press, received the resolution with an expression of sympathy.

3. Amongst the crowd which attended the meeting were a number of Armenians and Circassians, and the meeting was addressed (besides the principal speaker, a Smyrniot Greek) by a Circassian and a Turk, both of whom spoke in Turkish, and the latter of whom declared that all healthy-minded Turks looked back with longing upon the three years of Greek administration in Asia Minor, when justice and liberty really prevailed.

4. Similar meetings took place at Salonica, Patras, Volo and at many other refugee centres throughout the kingdom, and resolutions couched in terms similar to the enclosed are reaching me by telegraph from all over the country. A report from His Majesty's vice-consul of the proceedings at Volo I have the honour to transmit herewith.*

5. I also have the honour to enclose copy of a despatch from Mr. Vice-Consul Sargint at Zante on this subject.*

6. I am forwarding copies of this despatch to Lausanne and Constantinople.

I have, &c
C. H. BENTINCK.

P.S. *January 27.*—Similar demonstrations took place at other of His Majesty's consulates, but as the proceedings were practically the same I have not thought it worth while to forward copies of other reports.

C. H. B.

E 1431/4/44] No. 199.

Report on Refugees in the Near East by Dr. Nansen, High Commissioner of the League for Refugees, dated January 26, 1923.—(*Communicated by the Secretary-General, League of Nations, Geneva; Received in Foreign Office, February 5.*)

Part I.—*Negotiations regarding the Exchange of Populations between Greece and Turkey.*

IN the early part of November I made a report to the members of the League of Nations concerning the work which I had carried out as High Commissioner for Refugees, in fulfilment of the duties laid upon me by the resolutions adopted by the third assembly. This report was divided into two parts, and dealt, first, with the negotiations which I had been invited by the principal Powers to carry on for an exchange of populations and of prisoners between Turkey and Greece, and secondly, with the actual work of relief for refugees in the Near East.

In this present report I wish to explain to the council what has taken place since this previous report to the members of the League, in connection with these two different parts of the problem.

In November I informed the members of the League that, while in Constantinople, I had accepted an invitation from the representatives of the principal Powers

* Not printed.

to negotiate between the Governments of Turkey and Greece for an exchange of population and of prisoners of war. In accepting this invitation I acted in accordance with what I was officially informed were the wishes of both the Governments interested. In spite of this fact no great progress was made with the negotiations, for reasons which were explained in the report. After having begun negotiations with a representative of the Turkish Government in Constantinople, I was compelled to leave without reaching any conclusion. Matters had, however, sufficiently advanced for me to be able to prepare the draft of a possible agreement which was left with the two Governments for their consideration.

When the Peace Conference met at Lausanne I thought it my duty to propose to the representatives of the inviting Powers that the negotiations might be taken up again at the point at which they had been left in Constantinople. As the representatives of the inviting Powers shared the view that if an agreement for an exchange of population were to be made at all it should be made with as little delay as possible, I accepted the invitation of Lord Curzon, the President of the First Commission of the Conference, to make a statement on the subject. In the course of this statement I explained that I had only interested myself in this question at the invitation of the principal Powers, and because I was informed that an exchange of population was desired by both interested Governments. I urged that, if an exchange was to be made, it should be made in time for at least a considerable proportion of the exchanged populations to be able to cultivate the land of their new farms during the coming spring. In my view, an agreement for exchange would not be a very complicated or difficult matter, and if once the principles were agreed to, it should be possible to reach a definite treaty within a very few weeks.

The question was referred by the First Commission to a sub-commission under the chairmanship of Signor Montagna. I attended a meeting of this sub commission and made a further statement on the situation, and suggested certain lines in accordance with which it appeared that the wishes of the parties might possibly be harmonised.

It should be stated, in personal explanation, that public reports have wrongly attributed to me the proposal that the exchange of populations should be compulsory. I made no such proposal, but only explained to the sub-commission that an essential preliminary question to be settled was whether the exchange should be voluntary or compulsory and strongly expressed the view that this was a matter that the two interested Governments alone could decide. I urged on the sub-commission that a compulsory treaty could only be satisfactorily carried through if these Governments acted with absolute loyalty and good faith.

Part II.—*Report on the Question of Refugees in Greece and Asia Minor*

Relief Measures.

1. Two months ago I made a general report to the members of the League of Nations about the journey to Constantinople and Greece undertaken in order to fulfil the duties laid upon me by the third assembly. I have now to report to the council the progress of events as they have developed since that report was written, and to give an account of the further measures which I have taken in fulfilment of my mission.

In my first report I explained the magnitude of the refugee problem, the appalling conditions in which nearly 1,000,000 refugees were living, and the overwhelming burden which they imposed on the resources of the people and the Government of Greece. I also outlined the measures which the Greek Government had taken to deal with the influx of refugees, to distribute them throughout the country, and to establish them in tolerable conditions. I informed the members of the League of the splendid work being done by the various voluntary organisations which had come to the assistance of the refugees, and particularly of the great work undertaken by the American Red Cross. I further told them of the first expenditures made from the resources placed at my disposal by the Governments of the members of the League. I also reported that I had been fortunate enough to secure the co-operation of the Epidemic Commission of the League, whose expert services will be very precious to the Greek Government in the grave epidemic crisis which has just arisen.

2. I need not cover again the ground covered in my previous report. Since that report was written the conditions of the refugees have become steadily and

universally worse. In spite of the efforts of the Government and of the relief agencies, a vast number of the refugees are still only fed on famine rations. Owing to the hardships to which they have been exposed, many of them are unable to digest their hard fare. Sickness, due to under-nourishment, has been general and mortality considerable.

In addition a great majority of the refugees are still without adequate shelter. The Government has made great efforts to give them at least a roof over their heads, but great numbers are still living in railway stations, in tents, in old dug-outs and in unrepaired hutments. Recent reports were even to the effect that many were still in the open air. It will be understood that in these conditions the Macedonian winter has caused intense suffering among the refugees, and that great numbers of them, particularly women and newly born children, have died from pneumonia and other illness due to exposure. No final figures as to the mortality are available, but some weeks ago the High Commissariat office at Athens estimated that figure as not less than 30,000. There is no doubt that the rate will increase as the winter progresses, unless the scale of relief can be increased sufficiently to counteract its effects.

Until recently there had been no serious outbreak of epidemics, in spite of the fact that, in the view of the experts of the Epidemic Commission, the conditions indicated the probability of epidemics on a large scale. There were in November a small number of cases of small-pox, but the energetic action of the authorities in the camps where the cases occurred prevented any general spread of the disease. There has, however, just come to hand news of a serious outbreak of typhus in the Epirus and elsewhere, and there is only too great reason to fear that it may spread with great rapidity. The shortage of food, the housing conditions, the cold from which the refugees suffer, and the lack of clothing, all increase the probability of serious epidemics.

3. The council will be interested to hear a very brief account of the work which has been done with the resources placed at my disposal by the Governments of the members of the League. In pursuance of the wishes of the assembly, I endeavoured with the limited resources at my disposal to work for all refugees without distinction of race or religion. I therefore did my utmost to assist the Turkish authorities in their work for the Moslem refugees concentrated in and near Constantinople and in Asia Minor. In addition to the work which was done at Smyrna by the representatives of the International Committee of the Red Cross, the High Commissariat despatched to that city 200 tons of flour to help the Turkish authorities to meet a temporary, but severe, food crisis which had arisen in some of the devastated towns of the war area. Shortly afterwards a further 150 tons were sent by the same agency to a few of the devastated towns on the southern shores of the Sea of Marmora. It also assisted the Turkish authorities by providing shipping for the repatriation of refugees from Constantinople to Smyrna and other parts of Asia Minor. This work was of very particular value because the refugees were living in Constantinople in difficult conditions and on charity alone, whereas their immediate return to their homes enabled them to collect their olive crop, to plough their fields for their winter sowing and thus to become self-supporting. Over 10,000 Moslem refugees were thus returned to their homes.

In addition to this assistance, Colonel Gauthier, one of the representatives of the Epidemic Commission, supplied the Turkish authorities with 40,000 doses of vaccine for the inoculation of their refugees against epidemic disease.

4. My last report to the members of the League gave some account of the work done for the refugees in Greece, which included the purchase of 500 tons of flour delivered to the islands of Samos and Chios within a few day of the close of the third assembly. This flour served to avert a very serious food crisis in these islands. The High Commissariat subsequently made a further purchase of flour, part of which was sent to Asia Minor, as already described, and the remainder of which was disposed of in Greece.

In addition to this work my representative in Constantinople, Colonel Procter, organised a series of feeding camps in Western Thrace. These camps were originally established in Dedeagatch, but have now been removed to other points in the interior. They are at present feeding 10,000 refugees, and have in hand rations for a further period of two months. Colonel Procter is endeavouring to organise these camps on a constructive basis. He has secured from the Greek Government vacant land which these refugees can cultivate. He has supplied them with some of the tents so generously placed at the disposal of the League by the Belgian Government. The Greek Government have supplied building materials and with

these the refugees themselves have constructed villages of huts. He has secured the promise of animals, and he now hopes to secure from other sources the necessary seed, grain and fodder with which the actual work of cultivation can be begun. It should be added that he has at his disposal some tractor ploughs which can be used for this purpose. This is a sound piece of constructive relief work, and Colonel Procter has every hope that he may be in a position to enable the refugees to sow sufficient land to make them self-supporting after they reap their first harvest.

Attached to these feeding camps is a hospital of 120 beds which Colonel Procter organised in conjunction with Lady Rumbold's Constantinople Fund for Refugees and with the help of the British army authorities. This hospital provides the refugees with medical comforts and attendance, and is supplemented by dispensaries and vaccination stations, &c. Considerable quantities of clothes received by the Constantinople office of the League have also been distributed to the refugees in these camps.

Apart from this work in Western Thrace my representatives allocated small sums and small quantities of supplies to the Anglo-American Committee, which, under Colonel Jarvis, has done splendid work in Salonica.

In addition to the above, I have endeavoured to follow the advice which was offered to me by the Central Co-ordinating Committee established in Athens, which was that the funds remaining at the disposal of my representatives should be concentrated on work for the prevention of epidemics. In view of this recommendation, with which I am in hearty accord, I arranged with the Epidemic Commission to send two of their representatives, Colonel Gauthier and Dr. Haigh, to Greece, and I have placed at their disposal practically the whole of the funds which remained in my hands, that is to say, 5,000*l*. I am convinced that this policy is right, and that the work of the Epidemic Commission may be of great value to the refugees and to the Greek Government.

I should add in this connection that I have made a very special appeal to the general public in a number of countries for clothing and blankets for the refugees, to enable them to withstand the rigours of winter. In this matter I owe a deep debt of gratitude, so far as Great Britain is concerned in particular, to the heads of the ex-service women's organisations, to the All-British Fund, and also to Sir Arthur Steel-Maitland and to some other devoted helpers. Through their efforts my appeal was circulated by business houses to hundreds of thousands of their customers, to over 13,000 parishes through the churches and to the members of the 1,200 branches of the League of Nations Union. As many as seventy crates of clothes are being received daily as a result of these appeals and are being distributed through the agency of the office in Athens. Up to date, about 1,400 of these crates have been received.

Before I leave this part of my report I should mention the other work which has been carried on by the Constantinople office. It has been instrumental in assisting the evacuation of no fewer than 156,000 refugees from Constantinople and from Eastern Thrace, and in general in co-ordinating the movement of these refugees and the extensive shipping which was necessary for their transport. It has also established a close liaison between the various relief agencies working in and from Constantinople, and in this way it has rendered services of considerable value.

5. Shortly after I made my last report to the members of the League, my representatives in Athens, first Colonel Corfe and then, in succession to him, M. Adosides, established a League of Nations office to carry on for Greece the evacuations which had been performed by the League office in Constantinople. This new office has already done work which is of considerable value. I wish to take this opportunity of expressing my very great appreciation of the splendid services rendered by Colonel Corfe, by his successor, M. Adosides, and by Mr. Lionel Fielden, who is acting as secretary to the Athens office.

6. With regard to the future developments of the work which has been undertaken, I propose to continue for the time being the policy of devoting my available resources largely to the work of the Epidemic Commission, and I trust that this policy will secure the full approval of the council. I am deeply grateful to the British Government for having so promptly remitted contributions equivalent to those promised by other Governments. The British Government has in this way made 19,208*l*. available, but it has induced me that it was unable to keep open its offer to double all contributions up to 50,000*l*. after the 1st January of this year. I earnestly hope, nevertheless, that the Governments of members of the League which have not yet made contributions to the fund established by the assembly may

yet see their way to do so, and that even Governments which have already contributed will, after realising the work already accomplished, find it possible to give further aid. Further funds would enable the Epidemic Commission to carry out a work of very great importance, and even small contributions would be of value. I need not repeat that the need is very urgent.

I hope the council will realise that the work now being done by the Constantinople office and the Athens office in the direction of co-ordinating the various agencies, in establishing liaison between them and the Government authorities in collecting and disseminating information, and in other ways, is of very real importance. This is a service which in my view the League of Nations is particularly well fitted to render in a crisis such as that through which the Greek people are at present passing.

As there is no provision in the 1923 budget for this refugee work, I hope that the council will agree, in the circumstances, to make a provision from its "unforeseen contingencies" of 50,000 fr., 15,000 fr. of which would be provided for from the unexpended balance remaining from the 1922 budget and the remainder enable me to liquidate the various administrative engagements I have assumed in connection with the Epidemic Commission and otherwise.

I hope that the members of the council will agree that the expenditure from the emergency vote of 100,000 fr., which the council made at the time of the third assembly, has been wisely administered in the interests of the League. Of this sum 85,000 fr. have already been so expended, a portion having been devoted towards the administrative expenses of the Epidemic Commission in Greece. There is consequently an unexpended balance of 15,000 fr in hand.

7. In conclusion, I can only emphasise once more what I said in my previous report that the presence in Greece of such a vast number of refugees for whom no means of livelihood can be found constitutes a problem with which the Greek Government cannot hope to deal unless its efforts are supported by the outside world. Capital is needed for the settlement of these refugees, and is needed at once. I am afraid the time which has already elapsed will make it impossible for a great proportion of these refugees to cultivate their land, and thus to become self-supporting, before the coming summer. This may mean that many of them will need relief for another year. The fact that the project of the exchange of populations has not yet come into effect makes this prospect still more probable. I cannot emphasise too strongly the urgency of the need, or the good use to which capital for reconstructive purposes could be put in Greece.

[E 1428/6/44] No. 200.

Mr. Bentinck to the Marquess Curzon of Kedleston.—(Received February 5.)

(No. 50.) *Athens, January 26, 1923.*

My Lord,

I HAVE the honour to transmit herewith copies of an interesting report from Colonel E. Hoare Nairne, military attaché to His Majesty's Legation, of a conversation with General Vlachopoulos, chief of the Greek General Staff.

2. From this it would appear that the Greek General Staff do not favour an independent adventure in Eastern Thrace and that this is also the view of the Government. In the face of this even General Pangalos would scarcely be foolish enough to act without Allied support so long as there is the slightest possibility of obtaining it.

3. No doubt the Greeks are keeping a look out for any incident which might bring them Allied support in a fresh fight with the Turks, but that is problematical and no it basis for a military policy. The Greek army is obviously an important factor in the Lausanne Conference and particularly in the attitude of the Turks. A natural policy would be to prepare the army for all eventualities and then to manipulate it to frighten the Turks. Reorganisation, forward movement of troops, talk of war, even shooting over the river at night, all these constitute threats and have a moral effect on the negotiations so long as they are only threats. If the army were to advance the moral effect would disappear with the conference, the issue would be decided by force, and the Greeks have had enough of force without the Allies. Meanwhile, the moral influence of the Greek army is playing its part.

4. Colonel Nairne's remarks in the two final paragraphs of his report about the "Plastiras Regiment" are interesting as showing the source of this man's power. In the opinion of many, however, Colonel Plastiras and Colonel Gonatas, whatever

they may think, are the tools of a would-be dictator, General Pangalos. He is thought to be the real power behind the scene and the uncertain factor in the situation.

5. I am forwarding a copy of this despatch to Lausanne.

I have, &c.

C. H. BENTINCK.

Enclosure in No. 200.

Colonel Hoare Nairne to Mr. Bentinck.

(Secret.)

Sir, *Athens, January* 20, 1923.

I HAVE the honour to submit a summary of a conversation which I had to-day with General N. Vlachopoulos, chief of the Greek General Staff, and some comments on various matters connected with the Greek army.

The primary concern of my visit was certain information and material which the Director of Military Operations and Intelligence wished to obtain from the Cartographical Section of the Greek General Staff. I restricted myself to that business, leaving General Vlachopoulos to turn, if he wished, to other subjects, which he did at the first opportunity by asking me what I thought were the prospects of peace. I said that I believed the bulk of the Turks were tired of war, but that when thousands of men on each side stood waiting with arms in their hands there was always danger of hotheads forcing a conflict. General Vlachopoulos expressed the regret that the Allies did not prevent Turkish troops passing from Asia Minor to Thrace. According to his information they landed at Midia, and the Turkish force in Thrace, including gendarmerie, now amounted to 30,000 men, with some artillery. This force in itself was not very dangerous; up to now it had only produced a certain amount of rifle-shooting across the Maritza, and, in the case of a Greek advance, it would not be able to stop the Greek army. But the Turkish reinforcement was continuing, and soon the force in Eastern Thrace would be more formidable.

In reply to a question, General Vlachopoulos declared that the Greek army would not make any independent aggression. If the Allies gave the word, it would advance, but Greece was now suffering from having gone forward in Asia Minor contrary to the Allies' wishes and had no inclination to repeat the mistake. The Greek Government had issued no orders whatever for independent action, and General Pangalos would have to obey the Government. General Vlachopoulos added that if he had been commanding in Thrace, or even if he had been Minister of War, he would not have advanced so many troops, particularly the IInd Army Corps, towards the frontier, but would have devoted his efforts to perfecting their mobilisation in their former locations. The formations of the IInd Army Corps were not yet really complete. In their normal stations they would have been easier to supply, and, while ready to move, would not have caused the apprehension which has been aroused by their movement. I asked General Vlachopoulos if the forward concentration of troops had been made by General Pangalos within his own discretionary powers, and he answered, "Yes."

Turning to more detailed matters, General Vlachopoulos said that the 14th division has been relieved on the northern frontier by newly formed "bataillons de couverture," and had been concentrated at Serres. No saving of personnel had been effected, as the new covering troops equalled the former covering troops in strength; but the new arrangement gave the IInd Army Corps three free divisions, and thus made it homogeneous with the IIIrd and IVth Army Corps. He put the total strength in Thrace and Macedonia, that is, in the IInd, IIIrd and IVth Army Corps, army troops and covering troops on the northern frontier, at 110,000 to 120,000, of which he estimated 80,000 at the least as combatant troops and 50,000 as rifles. He said he was speaking in round numbers, as there had been much movement and change in strength since the last monthly state, and the state of the 1st January (the 14th January new style) had not yet been received. He expected the new state in the next eight or ten days, and would then give me more precise information.

It would appear, from this conversation that the Minister of War, who is also Prime Minister, has not always conformed with the advice of the Chief of the General Staff regarding the disposition of the army and the terms of its chief command. Secondly, I had an impression that General Vlachopoulos was not entirely in sympathy with General Pangalos nor sure of his discretion or subordinacy; but I had not much to go upon in forming this idea and my mind may have been influenced by other considerations.

In the Venizelist régime General Vlachopoulos commanded the 2nd division, under General Nider, who then commanded the Ist Army Corps. These two went together through the difficult campaign of 1919 in South Russia and together came later to Asia Minor. Both of them seem to have come under some suspicion of Constantinist sympathies, and early in 1920 General Vlachopoulos was transferred from Asia Minor to the 4th division, which was at Mauplia on the peace establishment. The reason given was ill health and, as he was suffering from the effects of an old wound and from malaria, I then believed the official reason to be the true one; but lately an officer who was on General Nider's staff told me that it was a fact that both these generals were suspected, that General Vlachopoulos was removed for political reasons and that General Pangalos, then Chief of Staff to the Greek Commander-in-chief, was the main agent in his removal. Later General Vlachopoulos was brought back to the 2nd division, but lost his command again in March 1921 when General Nider and all his division commanders were removed by the Constantinist Government. When General Vlachopoulos was appointed Chief of the General Staff in Athens last October, General Nider commanded the army in Thrace, but was later removed to make way for General Pangalos. So it is natural to think that General Vlachopoulos's sympathy is with his old leaders and not with General Pangalos; as it to remind me of this, General Nider came out of General Vlachopoulos's room as I went in; and later I took my leave when an officer announced that General Nider had come back and was waiting in the ante-room.

General Vlachopoulos did not touch on discipline and *moral*; and I asked him no question about them as his answer was certain beforehand. The only reason I have had for doubting the standard on which officers here based their confident statements about *moral* and discipline at the front have been the ill-behaviour of many individual soldiers in Athens. The real state of affairs at the front could only be safely computed from independent reports from the front. I have lately received three such reports. First, a note from Major Johnston, written in December, in which he speaks of a very great improvement in *moral* and discipline. Secondly, from Major Johnston's servant, an educated lad, son of a large Greek landowner in Asia Minor, who was on his way to Egypt on demobilisation. He has been with Major Johnston with the Greek troops for three years, and he told me he thought the spirit now was as good, if not better, than he had before seen it. He described the troops as all talking of an advance and as being eager for it. When I spoke doubtfully of such a quick change of spirit, he reminded me that these were all young men, of whom none had been long in the field, and many had never even seen a Turkish soldier. Thirdly, a New Zealander mining engineer, who served in his Dominion forces during the war, saw 3,000 men march to the railway station in Salonika on their way to Thrace. He considered that the bearing and the marching of these men clearly indicated good discipline and, particularly, a high spirit of self-confidence.

It seems to be beyond doubt that the Greek troops are now infused with a high spirit; but it must be remembered that it has not yet been tempered by experience, still less matured by success.

Since the revolution a strong regiment, the 18th, has been maintained in Athens in addition to and independent of the normal 2nd division. This regiment, whose functions appear to be to secure the revolution, is commonly known as Plastiras's regiment. This title appeared to be anomalous, for the regiment which Colonel Plastiras commanded for more than three years, and which he so bound to himself that the Constantinists found themselves powerless to remove him without causing mutiny, was the 5/42nd Evzones in the 13th division. With this regiment, and, I believe, the 34th regiment and other units of the 2nd division, Colonel Plastiras covered the embarkation of the broken Greek army. The 18th regiment was formerly a line of communication unit which held the Aidin Railway on the Greek southern flank in Asia Minor.

The explanation is that, after the demobilisation of the older classes, Colonel Plastiras brought the remainder of his own men to Athens, formed them into one battalion and joined them to the remainder of the 18th regiment, leaving the 5/42nd Evzones to be entirely reconstituted in the 13th division. The 18th regiment now consists of one battalion of Evzones and two battalions of infantry of the line. The whole regiment is armed with new Mannlicher rifles, which Colonel Plastiras bought with a special fund. I have twice recently seen this regiment marching in the streets of Athens and was much struck, as was everyone who saw it, with its bearing. The officers are obviously all selected. The Evzone battalion is a really

fine body of men; the other men are, of course, smaller, but they are all young and sturdy, their marching was good and their spirit appeared excellent. It is hard to believe that these men are allowed to disturb the bye-streets at night with their drunken songs. Probably the roysterers are from other units. At any rate here is a well organised body of men capable of mastering any mob that Athens could produce. The Evzone battalion appear easily to dominate the whole regiment; and each of these Evzones looks on Colonel Plastiras as his hero.

I have, &c.

E. S. HOARE NAIRNE, *Colonel,*
Military Attaché.

E 1391 1/44] No. 201.

Lausanne Conference on Near Eastern Affairs.

[illegible]

TERRITORIAL AND MILITARY COMMISSION.

Draft Minutes of the Twenty-second Meeting, January 23, 1923, at 6 P.M., under the presidency of Lord Curzon.—(Received in Foreign Office, February 5.)

Present:

BRITISH EMPIRE.	FRANCE.	ITALY.
The Marquess Curzon of Kedleston.	M. Bompard.	Marquis Garroni.
Sir Horace Rumbold.		M. Montagna.
[illegible]		

UNITED STATES OF AMERICA.	JAPAN.	GREECE.
Mr. [illegible]	Baron Hayashi.	M. Venizelos.
Admiral Bristol.	Mr. Otchiai.	M. Caclamanos.
Mr. Grew.		

ROUMANIA.	SERB CROAT SLOVENE STATE.	TURKEY.
M. Diamandy	M. Rakitch.	Ismet Pasha.
		Riza Nour Bey.

Also present:

BRITISH EMPIRE.	FRANCE.	ITALY.
Sir Eyre Crowe.	Admiral Lacaze.	Admiral Chelotti.
Mr. Malkin	M. Fromageot.	M. Arlotta.
Mr. Ryan	M. de Lacroix.	M. Guariglia.
Captain Pound, R.N.	M. Laporte.	M. Ciamarra
Lieut.-Colonel Heywood.	M. Bargeton.	Dr. Semu.
Mr. Nicolson.	M. de Percin.	M. Salem.
Mr. Forbes Adam.	Lieut.-Col. Courtin.	M. Guisi.
Mr. Leeper.	M. Sanguinetti.	
Mr. McClure.	Commandant de Lanouvelerie.	
Major Young.		
Captain Ashley.		

UNITED STATES OF AMERICA.	JAPAN.	GREECE.
Mr. Dwight.	Mr. Nagaoka.	M. Michalopoulos.
Mr. Amory.	Mr. Sato.	General Mazarakis.
Mr. Heck.	Colonel Saigo.	M. Politis.
	Captain Tsuru.	M. Dendramis.
	Mr. Tani	

ROUMANIA.	SERB CROAT-SLOVENE STATE.	TURKEY.
M. Contzesco.	M. Milanovitch.	Moukhtar Boy.
	M. Gueguevitch.	Munir Bey

M. Massigli, *Secretary-General of the Conference.*

Secretaries.

BRITISH EMPIRE.	FRANCE.	ITALY.
Mr. Spring-Rice.	M. Lagarde.	M. Indelli.
Mr. Wicks.		

UNITED STATES OF AMERICA.	JAPAN.	GREECE.
Mr. Belin.	Mr. Hotta.	M. Collas.

TURKEY.
Rechid Safvet Bey.

Interpreter: M. Camerlynck.

ISMET PASHA said that he had at first hoped to solve the Mosul question by private conversations. Since the 31st December, when he had learnt that Lord Curzon proposed to lay the matter before the Territorial Commission, he had awaited the meeting of the commission with impatience. That morning the Turkish delegation had set forth in detail their views in regard to the possession of Mosul and submitted their claims to the judgment of public opinion all over the world. Ismet Pasha had felt bound once more to examine minutely the arguments employed on both sides, for and against the restoration of the Mosul Vilayet to Turkey. At the preceding meeting he had analysed and refuted the arguments and objections of Lord Curzon. He thought it necessary to define and develop certain points in his statement.

As he had explained that morning, the arguments concerning the mandate could not be employed against Turkey, who had never recognised the principle of mandates, and moreover was unaware of their existence. The Government of the Grand National Assembly could not recognise as official acts or documents the agreements which were said to have been concluded between third Powers in regard to Turkish territories. It would be a serious mistake to suppose that Turkey had recognised the mandates in connection with the dividing up of the former debts of the Ottoman Empire. The purpose of the Turkish Government in proceeding to distribute these debts was simply to determine the shares of Syria, Mesopotamia, &c., but it did not on that account feel bound to recognise the existence or the legality of any mandate over these territories.

Ismet Pasha then insisted on the weakness of the ethnographical arguments used by the British delegation. Even if the figures quoted by that delegation were accepted, it would be seen that the Arabs only formed one-quarter of the population in the Mosul Vilayet. It would indeed be difficult to argue that a country should be assigned to an ethnical element which only constituted a fourth of the total population.

Ismet Pasha also considered it very useful to observe that the statement made by Lord Curzon that morning contained certain serious inaccuracies. Lord Curzon apparently cast doubt on the regularity of the election of the Kurdish Deputies to the Grand National Assembly. Ismet Pasha wished the world to know that the Grand National Assembly of Turkey was composed of the real and freely elected representatives of the Turkish people. All the inhabitants of the country—including both Turks and Kurds—were equally entitled to the franchise and enjoyed the same rights in the Grand Assembly, which thus afforded the world the most striking example of a nation being directly administered by those best qualified to represent it. The Deputies from Mosul were unfortunately absent from the Assembly, but their absence was solely due to a foreign occupation, which rendered it impossible to conduct the elections freely. This example proved once more how entirely genuine and regular elections were in Turkey—not that the Kurds were unrepresented in the Grand National Assembly.

Ismet Pasha thought that Lord Curzon had insisted on his strategical objections without any plausible reason. The argument that it would be a menace to the security of Bagdad if the Turks were at Mosul could not be used against the Turks, for it was England herself who had maintained that the passage of foreign warships through the Straits and past Constantinople could not constitute a danger to Turkey's existence. Ismet Pasha was amazed that anxiety should be displayed in regard to the security of Bagdad, when no such anxiety was felt in the case of Constantinople.

Turning to the question of the occupation of Mosul by British troops, Ismet Pasha said that it was indispensable to put matters in their true light. On the 30th October, 1918, the day when the armistice of Mudros was signed, Mosul was in the hands of

the Turks. In this connection Ismet Pasha wished to call attention to the fact that he spoke of the armistice of Mudros not because he regarded it as an act or a document possessing any value at the present day, but simply as indicating the date on which military operations were suspended. The town of Mosul was occupied after that date, and therefore no defence was made. Lord Curzon had said that the news of the armistice reached Mosul on the 1st November, and that the authorities gave the order for evacuation on the 4th November. This was a further proof that the town was occupied without any defence; for whereas the Turkish troops were constantly receiving orders and instructions to abtain from using force and defending their country, the British command persistently ignored the armistice and took advantage of the situation for pushing their troops forward. However that might be, the occupation of this district after the conclusion of the armistice must be regarded, juridically, as the occupation of a defenceless country.

Ismet Pasha felt that he should also state his views briefly on the oil question. The Turks had always regarded Mosul as an integral part of the district—a fraction of the mother-country. Ever since his first interviews with official political personages or with representatives of private interests, he had been pressed to state whether he regarded the Mosul question as a territorial or as an oil question. He had consistently replied to all enquirers that the question at issue was for the Turks before and above everything territorial. On the other hand, as Lord Curzon himself had recognised, one could not ignore the interest taken in oil problems by the whole world. The Turkish point of view in this matter had always been and would in future be that the world should not be deprived of the oil derived from these districts after they had been returned to the mother-country. Turkey promised to grant all possible facilities so that the world might profit by this oil in a legitimate way. Lord Curzon had alluded to concessions which were said to have been granted before the war. The question whether these concessions were valid and definitive in character ought to form the subject of a special enquiry from the juridical point of view. Ismet Pasha said that the Turkish delegation, since their arrival at Lausanne, had been confronted with many requests and openings from certain groups who wished to know whether Turkey would recognise their rights to work these oilfields after Mosul had been reoccupied. Hence he had found it necessary, with a view to ascertaining the economic and financial capacity of the groups in question, to send two experts (not three, as Lord Curzon thought) to London. There was nothing abnormal in the Turks wishing to get into contact with any companies or groups who proposed to exploit the resources of their country in one way or another. By taking the opportunity to visit the British Museum during their stay in London, the Turkish experts had only yielded to a perfectly legitimate curiosity in artistic matters.

Ismet Pasha said that he had particularly observed the insistence with which Lord Curzon rejected the idea of holding a plebiscite in regard to the Mosul Vilayet. He could not guess the motive for this refusal, for a plebiscite was the method commonly employed when it was necessary to decide by whom, and how, the population of a country should be governed. It had hitherto been agreed unanimously that the most rational and equitable procedure, with a view to settling the destinies of a nation or population, was to consult it directly, leaving it free to express its opinion on the subject in full independence. It was indeed difficult to admit that, while it had been considered possible to consult the population of Irak concerning the choice of Emir Feisal, it should be regarded as impossible to obtain an expression of their views on the far more vital question – that of their union with such and such a country, or that of the manner in which they wished to be governed. There was a striking and inexplicable contradiction in this attitude. The rejection of a plebiscite gave the most convincing proof of the weakness of the case brought forward against Turkey. It was an admission that the claims advanced against Turkey's rights were unjust, and an excellent proof of the fact that Mosul belonged to Turkey.

It would not be fair to submit a territorial question of such importance as that of Mosul to arbitration by the League of Nations. If that were done, Turkey would be staking a portion of her national inheritance, while the British Government would, at the most, be in the position of submitting to discussion the control exercised by them over a territory which was not their own. The delegation of the Government of the Grand National Assembly could not allow the fate of a great region like the Vilayet of Mosul, which formed an integral part of their country, and the fate of its population and resources to be made dependent upon any arbitration. The Turkish Government were convinced of the soundness and justice of their case, and maintained their view that Mosul should be restored to Turkey.

LORD CURZON spoke as follows: –

"I will reply at once to the speech which we have just heard.

"His Excellency Ismet Pasha began by expressing regret that this matter could not be solved by direct agreement between him and myself. I share that regret. It is because we could not convince each other that the question has been brought before the commission to-day.

"The first part of Ismet Pasha's speech was devoted to contesting certain points in my speech of this morning. I do not want to reopen that discussion, but there are three or four points on which I will ask the leave of the commission to say a few words.

"In the first place, Ismet Pasha repeated what he had already said this morning, namely, that the Turkish Government cannot take any account of a mandate given for any territory and have never accepted the principle or recognised the fact of any mandate. But that is not the case. I can give an illustration showing that the Turkish Government have definitely accepted both the principle and the fact. As M. Bompard said this morning, the frontier between Syria and Turkey in Asia was agreed at a certain stage by a special arrangement concluded between a representative of the French Government and the Government of Angora. What is that but a definite recognition of a mandated territory? How is France in Syria at this moment? M. Bompard will readily admit that she is there in execution of a mandate conferred upon her at San Remo by the same Powers who conferred the mandates for Irak and Palestine on Great Britain. Her mandate was subsequently laid down and defined by the League of Nations. Turkey has therefore recognised the mandate given to France, and in the text of the agreement which exists between France and Turkey lies the recognition of the French mandate for Syria.

"Secondly, Ismet Pasha said that the Arabs were only one-quarter of the total population of the Vilayet of Mosul, and enquired how it could be argued that one-quarter of the population should decide the fate of the whole. But what is Ismet Pasha's own contention? That the vilayet should be given back to the Turks who constitute only one-twelfth of the whole. Ismet Pasha is quite prepared to accept a smaller fraction if it relates to Turks, but he will not look at a much larger fraction if it applies to Arabs.

"Ismet Pasha's next point concerned the Kurdish delegates in the Parliament at Angora, but he has not replied to the questions which I put to him this morning on the subject. I asked him how they were elected; how many voters voted for them; and from whence the delegates came. He has not told me any of these things, but he has admitted that there are no Kurdish delegates from the Mosul Vilayet and, therefore, none from that part of Kurdistan with which we are now concerned. And yet his argument this morning was that he knew all about the opinions of the people in the Mosul Vilayet through the Kurdish delegates at Angora. Therefore, that particular contention of his can be dismissed.

"I will now deal with the final position adopted by Ismet Pasha. His Excellency strongly argued that the question raised in regard to Mosul should be settled by a plebiscite; that if you can elect a ruler or a king by a plebiscite, you can also determine the fate of a country by the same means. Will his Excellency allow me to remind him that this is not the question now before us. The question is not what is to be the ultimate destiny of Mosul, but where the line is to be drawn between the Turkish possessions and the mandated Arab State of Irak—an entirely different question, and of all questions the least suitable for decision by a plebiscite. I venture to think that I have had far more experience of plebiscites than Ismet Pasha. Since the war I have had a great deal to do with plebiscites concerning frontiers, and am determined never to deal with another. The plebiscite is a fatal and pernicious system of endeavouring to settle a frontier, and I will tell the conference why. First, you have to decide who are to vote, what are to be their age, qualifications and length of residence in the country. As Ismet Pasha has said, many of the people in the Vilayet of Mosul are nomads, constantly going to and fro between the hills and the plains and sometimes migrating into Persia. Which of all these people are to vote and on what grounds are they to be selected? Secondly, you have to decide who is to keep order when the voting takes place. In every plebiscite held since the war it has proved necessary to have an army to keep the people quiet and prevent them from cutting each other's throats. Where is the army to come from to keep the peace in Kurdistan? It cannot be Turkish or British, as those two countries are interested parties. Is there any gentleman in this room who is willing to offer an army to go and keep the peace during this plebiscite? He will be a great fool if he does.

"I can give two illustrations of what has happened in recent plebiscites with which some of us are familiar. One of them was to take place under the Treaty of Versailles at Teschen in connection with a dispute between the Czechs and the Poles. It gave rise to so much agitation, rioting and disorder that the Plebiscite Commission eventually had to decide that it should not be held at all. Then there was another and far worse case, that of Upper Silesia. There was so much disturbance that the proceedings had to be postponed for many months. The people who were going to vote were so disorderly that 20,000 to 30,000 French, British and Italian troops were required in the area to keep the peace. During the plebiscite period constant raids and murders disfigured the country. After great difficulty the plebiscite was held, and when the Plebiscite Commission had to report on the result they could not agree among themselves on the line of frontier which they should recommend. They therefore sent the question to Paris for the Great Powers to settle. I was there myself. We too could not agree. Thus, after one and a half years had been spent and all these lives sacrificed and this trouble created, we had to send the question to the League of Nations. We ended up at the point where I now wish to begin. I therefore respectfully recommend this example of a plebiscite to the attention of Ismet Pasha.

"Let us imagine a plebiscite in Kurdistan. What would happen? As Ismet Pasha has said, the population is always moving. The majority of the Kurds and a great part of the Arabs are quite illiterate. They will not know how to vote; they have never seen a ballot box in their lives, and if they did they would probably throw it at your head. Then again, who is going to find the troops to keep order? How are you to explain to the people what they are to vote about? The Kurds would doubtless vote for an independent Kurdistan; the Arabs for an Arab State; the Turks for Turkish nationality; and the Christians for anything which will keep them away from the Turks. How can you define frontiers under such conditions? The result would be inextricable confusion, and the Great Powers would hold themselves up to ridicule. Plebiscites are only good for a unified, not a mixed, population, and for a single, not a confused, issue.

"That is why a plebiscite in Kurdistan is a proposition which no one who has any experience of recent events can possibly support.

"I now come to my final proposal and to the Turkish reply. I ended by suggesting that this difficult and disputed question should be referred for examination and decision to the League of Nations. This proposal received the warm support of my French and Italian colleagues on behalf of their respective delegations; it therefore came before the commission with the full weight of Allied approval. No other delegation spoke on the matter, but I venture to say that there is not a single representative of a single delegation here who will not agree with M. Bompard that it is a wise, equitable and liberal proposal. The Council of the League of Nations is a body composed to a large extent of representatives of neutral States, detached, absolutely impartial, and possessing great moral authority. Great Britain is ready to put her case into its hands; but Turkey has so little confidence in her case that she dare not submit it to arbitration of any kind. Ismet Pasha has just rejected arbitration in general and he therefore presumably rejects arbitration by the League of Nations. I will now tell him what it is that he has rejected.

"Supposing my proposal is accepted, what will happen? Here is the Covenant of the League describing its procedure and the action to be taken by the States which belong to it. Only three weeks ago the Turkish delegation signified that their first step after the conclusion of peace will be to ask to join the League. If this dispute were referred to the League, Turkey not being a member, the first act of the League under article 17 of the Covenant would be to invite Turkey to become a member for the purposes of the dispute. The Council of the League would then institute an enquiry into the circumstances of the dispute and recommend such action as may seem best and most effectual in the circumstances. Lest the Turkish delegation should say that they will not have a chance of being heard and that their case will not be adequately represented, let me remind Ismet Pasha of article 4 of the Covenant, which lays down that any member of the League not represented on the council (I am speaking here of Turkey as having become a member of the League of Nations for the purposes of this enquiry) shall be invited to send a representative to sit as a member at any meeting of the council during the consideration of matters specially affecting the interests of that member of the League. Therefore, if and when this matter goes to the League of Nations, Turkey will at once be invited not merely to become a member but to sit on the council.

"The council will have to decide what method of examination to adopt. It may

ask the Turks and the British for their respective views; it may decide to send a commission to take the views of the Kurds, Turks, Arabs and Christians on the spot; it may hold an enquiry in Europe, or it may appoint a single arbitrator to settle the matter. I do not know what it will do; but my point is that the Turkish delegation will be there just like ourselves, and when the two cases have been stated you will get the most impartial examination which it is possible to secure. Further, article 5 of the Covenant provides that the decision of the council upon which the Turkish Government will be represented will have to be unanimous so that no decision can be arrived at without their consent.

"Now I speak with the utmost solemnity: Do the Turkish delegation really refuse that proposal? If they do, I venture to say in all sincerity that it will produce a worse impression than anything which the Turkish delegation have yet done at this conference. When it goes out to the world that I, on behalf of my Government, have made this offer, that it will give Turkey the opportunity just described, and that Turkey refused it without looking at it or examining it, I shall be very sorry to read the comments that will be passed in the newspapers of the world to-morrow upon the attitude and decision of the Turkish delegation. I still hope that Ismet Pasha will tell me that he did not fully consider the terms of his reply and that his delegation do not mean the complete refusal which I understood him to give.

"But I would like to add something more. The matter cannot rest there. Let us suppose that the Turkish delegation do mean to refuse and persist in their refusal; what remains to be done? I cannot leave the case in that position; it is fraught with too much peril to the peace of the world. I have seen in the papers and I have information that if the matter is not settled in the spirit which the Turkish delegation desire, there may be movements of Turkish troops from Anatolia in the direction of Mosul, there may be an attack upon the frontier, there may be an attempt to decide the issue by military means, there may be hostilities, there may be war. I am here to make a treaty of peace; I am not here to make war. I am not here to allow conditions to continue to exist which may result in war. Therefore, supposing the Turkish delegation really mean to refuse and persist in that refusal, I shall be obliged, on behalf of my own Government, to act independently. I will explain what I mean.

"There is another article in the Covenant (article 11) to which I have not yet referred. It reads as follows:—

> "'Any war or threat of war, whether immediately affecting any of the members of the League or not, is hereby declared a matter of concern to the whole League, and the League shall take any action that may be deemed wise and effectual to safeguard the peace of nations. In case any such emergency should arise the Secretary-General shall, on the request of any member of the League, forthwith summon a meeting of the council.
>
> "'It is also declared to be the friendly right of each member of the League to bring to the attention of the assembly or of the council any circumstance whatever affecting international relations which threatens to disturb international peace or the good understanding between nations upon which peace depends.'

"If the Turkish delegation refuse my proposal I shall act on that article. I shall at once address myself to the Council of the League and say that a situation has arisen which seems likely to disturb international peace and the good understanding between nations upon which peace depends. The council will at once meet to consider the question. It will address an invitation to the Turkish Government to state their cases and, in the event of their declining to do so, there will be placed in operation all the sanctions which exist in the Covenant. But I do not want to take this course; I do not wish to be driven to it by the Turkish delegation. I would much rather that we both went to the League of Nations together in a friendly way to-morrow, this week or next week. I assure Ismet Pasha that this is the only right way to solve the question. I do assure him that if he persists in refusing he will be responsible for anything that may happen in the shape of risings, bloodshed or difficulty in the Mosul Vilayet, and I do warn him with all respect that he will find great difficulty in persuading the public opinion of the world that he is right. I therefore once again ask him whether I have correctly understood his language, and whether he will not join with me in the course I proposed this morning of submitting the matter to the League of Nations. If he will not give me an affirmative reply I have told him quite clearly the line which I shall be compelled to take."

BARON HAYASHI observed that in the speeches of Lord Curzon to which the commission had listened that morning and that afternoon there was not a word which

contained a trace of any selfish motive. The proposal outlined in Lord Curzon's speeches was that an absolutely impartial body should be asked to pronounce the decision on the problem under discussion. Baron Hayashi invited special attention to Lord Curzon's statement that the decision of the Council of the League of Nations would have to be unanimous. That being so, he really could not see how there could be any objection on the part of Turkey to letting the matter be submitted to and decided by the League of Nations. With all due deference to Ismet Pasha, he sincerely hoped that his Excellency would reconsider the question and give his consent to Lord Curzon's proposal.

M. BOMPARD considered that the gravity of the situation imposed on him the duty to intervene with a view to averting the disaster which threatened to come about. In his view it was desirable that the Turkish delegation should not give a hasty reply. He had a better right than anyone else to make such a request of the Turkish delegation, for he had never ceased to maintain that Turkey was just as much concerned for the public good as for her own interests. The public good was undoubtedly at stake in the problem laid before the commission. If the Turkish delegation persisted in their negative attitude, the gravest consequences might ensue. M. Bompard's feeling was that a reasonable solution lay in the recourse to arbitration which the British delegation proposed. The two parties would be able to present their claims on a footing of absolute equality. M. Bompard could not therefore understand how the Turkish delegation could persist in their present attitude. He asked Ismet Pasha to examine the Mosul question—a matter of great gravity—in a sober and leisurely manner.

MARQUIS GARRONI wished to add that, in his opinion, Lord Curzon's proposal could not prejudge the question in either party's favour. The proposal was a most reasonable one; the question was to be submitted to and decided by an impartial body, which had every interest in delivering such a judgment as would obtain universal consent and avert all danger of a conflagration. Marquis Garroni accordingly hoped that Ismet Pasha, who possessed so clear and reasonable an understanding of affairs, would be good enough to reflect once more on the proposal made to him, and take a decision which would satisfy everyone. The whole world wished for the avoidance of any complication which might endanger the peace desired by all.

ISMET PASHA thought it his duty to declare in the most explicit manner that he had not recognised the mandate of any Power over any part whatever of the territories detached from the former Ottoman Empire.

He was at a loss to account for the doubts which still prevailed in regard to the regularity of the election of Kurdish Deputies to the National Assembly of Turkey. These Deputies had been elected under conditions of liberty and independence equal to those of all other countries.

Turning to the question of a plebiscite, he really could not see in what respects it would be found difficult to carry it out. In his view, it would be very easy to take the special measures which were required with a view to security and owing to the situation of the migrating tribes. It was sufficient to accept the idea of a plebiscite in principle. Ismet Pasha could not concur in the proposal to submit the solution of the Mosul question to arbitration. The arguments on which the Turkish case rested were so convincing, and were conceived in such a spirit of right and equity, that it seemed to him extremely easy to examine them in the commission itself and to reach a solution at once.

In a question like that of Mosul everyone would be unanimous in recognising the soundness and justice of the Turkish case. He had no doubt that in this matter the public opinion of the world would be in Turkey's favour. The delegation of the Government of the Grand Assembly had come to Lausanne to make peace—a peace of justice and equity. No one would tolerate that peace being menaced on account of the Mosul question. The Turkish delegation had, ever since the opening of the conference, shown the great goodwill with which they were animated and the immense sacrifices which they were ready to make for the sake of universal peace. The conference was no longer at its beginning; public opinion in all countries had had time to follow and examine the causes which the Turks were defending and to realise how moderate and equitable they were. Ismet Pasha therefore begged the British delegation to accept the principle of restoring Mosul to Turkey.

LORD CURZON said:

"I will only say in conclusion that I regret very much that the Turkish delegation have resisted the advice that was given to them with so much authority by M. Bompard, who spoke with, I may say, such convincing force, and by the heads of the Italian and Japanese delegations. I think that Ismet Pasha will be somewhat surprised when

he sees what the opinion of the world, to which he has appealed, is upon this matter. I have stated on behalf of my Government the action which I shall be compelled to take, and I shall take it without delay."

(*The commission rose at* 7·20 P.M.)

Annex to No. 201.

Statement presented by the United States Delegation, January 23, 1923.

(For text, see No. 135.)

[E 1394/1/44] No. 202.

(Strictly Confidential.

TERRITORIAL AND MILITARY COMMISSION.

Minutes of the Twenty-third Meeting, January* 27, 1923, *at* 10·30 A.M., *under the presidency of Lord Curzon.*

Present:

BRITISH EMPIRE.
The Marquess Curzon of Kedleston.
Sir H. Rumbold.

FRANCE.
M. Bompard.

ITALY.
Marquis Garroni.
M. Montagna.
M. Lago.

UNITED STATES OF AMERICA.
Mr. Child.
Admiral Bristol.
Mr. Grew.

JAPAN.
Baron Hayashi.
Mr. Ochiai.

GREECE.
M. Venezelos.
M. Caclamanos.

ROUMANIA.
M. Diamandy.

KINGDOM OF THE SERBS, CROATS AND SLOVENES.
M. Rakitch.

TURKEY.
Ismet Pasha.
Riza Nour Bey.

Also present:

BRITISH EMPIRE.
Sir Eyre Crowe.
Mr. Ryan.
Mr. Payne.
Lieut.-Col. Heywood.
Mr. Nicolson.
Mr. Forbes Adam.
Mr. Leeper.
Mr. McClure.

FRANCE.
M. Seydoux.
M. Laporte.
M. Bargeton.
M. de Percin.
Lieut.-Col. Courtin.
M. Sanguinetti.

ITALY.
Admiral Ciabatti.
M. Arlotta.
M. Guariglia.
M. Guisi.

UNITED STATES OF AMERICA.
Mr. Dwight.
Mr. Amory.
Mr. Gillespie.

JAPAN.
Mr. Sato.
Colonel Saigo.
Captain Tsuru.
Mr. Tani.

GREECE.
M. Dendramis.
M. Politis.
M. Theodokas.

ROUMANIA.
M. Contzesco.

KINGDOM OF THE SERBS, CROATS AND SLOVENES.
M. Georgevitch.

TURKEY.
Munir Bey.
Tevfik Bey.

M. Massigli, *Secretary-General of the Conference.*

* These minutes do not represent the signed versions of speeches other than the British.

Secretaries.

BRITISH EMPIRE	FRANCE
Mr. Spring Rice.	M. Lagard
Mr. Wicks.	
ITALY	UNITED STATES OF AMERICA
M. Indell	Mr. Belin.
M. Zanchi	
JAPAN	GREECE
Mr. Hotta	M. Collas
KINGDOM OF THE SERBS, CROATS AND SLOVENES	TURKEY
M. Milanovitch	Rechid Sarvet Bey

Interpreter: M. Camerlynck.

Restoration of Interned Civilians.—Exchange of Prisoners of War.—Exchange of Populations.

THE commission had before it the draft agreement between Greece and Turkey in regard to (*a*) the reciprocal restoration of interned civilians now detained in Greece and Turkey, (*b*) the exchange of prisoners of war (Annex (A)); the draft convention between Greece and Turkey in regard to the exchange of populations (Annex (B)); and a draft protocol relating to the liberation of able-bodied men belonging to the Greek population, whose families had already left Turkish territory, now detained in Turkey (Annex (C)).

M. MONTAGNA reminded the delegates that on the 9th January the Territorial and Military Commission had received a report in which the Sub-Commission on Exchange of Populations indicated that it had agreed on a certain number of principles. One question remained unsolved, on which the commission had been able to obtain agreement. The commission had then required the sub-commission to resume the examination of the questions submitted to it with a view to settling the methods whereby the agreement already attained in principle could be executed in practice. The sub-commission had found this task much larger than was originally expected. Several times over it had encountered such difficulties that it had despaired of a successful issue.

M. Montagna had not had the necessary time to draft a report on the sub-commission's labours and on the results obtained by it, and reserved the right to communicate such a report to the president of the commission later on. For the moment he would content himself with giving a verbal summary of the work done by the sub-commission.

After many arduous discussions the sub-commission had been able to draw up in common the text of an agreement concerning the restoration of civilian hostages and prisoners of war and the text of a convention relating to the exchange of populations.

M. Montagna observed that most serious difficulties had arisen in connection with the framing of this latter convention. Among the [illegible]

1. The Turkish delegation had originally asked that even Greek subjects resident in Turkey, who were to be expelled from that country, should not be able to return thither. The Turkish delegation had subsequently withdrawn this request.
2. Considerable difficulty had been experienced in fixing the extent of the Constantinople zone. It was finally agreed that this zone should coincide with the area covered by the prefecture of the city.
3. The Turkish delegation had asked that the term "Western Thrace" should comprise a much larger area than that which the Greek delegation had in mind. On this point also the Turkish delegation had subsequently withdrawn their request.

4. The liquidation of certain religious communities' property had given rise to difficulty. The sub-commission had finally agreed that as in the case of private property the liquidation of this property should be compulsory.
5. As regards the measures taken in Greece in connection with expropriation of Moslem real property, the Greek delegation had displayed a broad conciliatory spirit.

Thus by dint of mutual sacrifices it had proved possible to reach agreement on all points.

The working basis of the convention was that a commission, consisting of four representatives of Greece, four of Turkey and three appointed by the Council of the League of Nations, was to regulate equitably all questions relative to the exchange. All that remained to be done was the final signature of the conventions. It had been arranged that the agreements relating to prisoners of war and exchange of populations should be signed simultaneously; but while the former was to come into force immediately, the latter was only to come into force upon the ratification of the Treaty of Peace. An exception was made as regards the male population interned in Anatolia, which was to be exchanged upon the signature of peace.

M. Montagna felt bound to state that the framing of these agreements had only been possible owing to the conciliatory spirit displayed by the Turkish and Greek delegations, and also to the active co-operation of the delegates of the inviting Powers on the sub-commission. In this connection, he wished to express his special thanks to Mr. Ryan and M. de Lacroix, whose assistance had been valuable and efficacious. The agreement and the convention could be signed at the beginning of the next week.

M. Montagna hoped that the salutary effect of these agreements would be felt as soon as possible, for indeed every day that passed imposed fresh sufferings on thousands of innocent persons. With a view to averting this unnecessary suffering, and upon the authority of the sub-commission, he had had a conversation with the president of the committee of the International Red Cross, in order that delegates might be sent to Athens immediately after the signature of the agreements for the purpose of supervising the exchange of prisoners. The Red Cross had most willingly accepted the task thus entrusted to it.

ISMET PASHA said that the result of the labours of the sub-commission, which had just been stated by its president, could be regarded as positive. He thanked M. Montagna for the explanations which he had been good enough to give. In connection with the attainment of this result, there should be some recognition of the incontestably conciliatory spirit constantly displayed by the Turkish delegation and of the sacrifices which they had agreed to make on all points. It would indeed be seen that on most of the questions held over the sacrifices came from the Turkish side. Ismet Pasha thought that the most essential task of the sub-commission had been to ensure to the emigrants adequate guarantees that they would enjoy the full benefit of the equitable liquidation of their property. He hoped that the measures now advocated would satisfy the interested parties, and that no abuses would arise such as might call forth complaints.

There was, however, one question in which the Turkish delegation could not understand the method of solution proposed. They had always insisted—with the concurrence of the sub-commission—that the signature of the agreement regarding the exchange of civilian hostages and prisoners of war should take place before that of any other agreement, so as to put an end a little sooner to the indescribable sufferings of these unfortunate people. Ismet Pasha said that he could not accept the proposal of the president to put off the signature of that agreement until the following week. He recalled the fact that the Allied delegations were unanimous in the intention and desire to put an end without delay to the lamentable situation of the hostages and prisoners interned in Greece. Any Power in Turkey's position would already have secured the restoration of these poor men. The result of Turkey allowing the Greek civilians to depart freely was that she no longer had any hostages of this kind within her borders. There was thus no reason why the complete restoration

of the Turks should not be effected immediately and without any further delay. Ismet Pasha accordingly made the official proposal to sign the agreement concerning the exchange of civilian hostages and prisoners of war at the present meeting.

The president of the Turkish delegation then drew attention to certain omissions which he had noted in M. Montagna's statement. It had been decided at the sub-commission that the last instalment of people to be exchanged was to consist of the Turkish population of the districts between the Mesta and the Strouma. It had also been agreed to insert a special provision regarding the Moslem emigrants ...to left Greece before 1912. He therefore hoped that in the report, which he was still awaiting, these chief omissions would be put right and that certain other imperfections of detail would be corrected in the sense agreed upon.

M. Montagna observed that Ismet Pasha's remarks simply proved one thing, namely, that his (M. Montagna's) account of the sub-commission's work was incomplete.

He had taken the precaution of stating that he merely intended to point out to the commission some of the matters regarding which the discussion had been somewhat laborious. He had not forgotten either the provisions or the mutual undertakings which had been agreed upon, and could assure Ismet Pasha that nothing would be omitted in the report which he was going to present to the president of the commission. As regards the signature of the prisoners agreement and the exchange convention, it could not take place that day. The original texts had not been got ready, and the signatures could only be exchanged on the following Tuesday (the 30th January). He begged Ismet Pasha to be so good as to take account of the purely material difficulties which very slightly delayed the signature of the documents.

M. Veniselos read the following statement:—

"At this moment, when the commission is to take note of the conclusion of the Graeco-Turkish Convention for the Exchange of Populations between the two countries, the Greek delegation consider it their duty to define their views on the subject for the last time.

"The compulsory character of the exchange of populations between Greece and Turkey has been viewed by the Greek Government and delegation with special antipathy. During the lengthy discussions on the exchange, the Greek delegation have never failed to express their ideas both to the commission and to the sub-commission. They have several times over stated their willingness to abandon the obligatory exchange, provided that the Greek populations now removed from their homes be allowed to return thither without any hindrance. In making this proposal they felt that they were defending the elementary right of every man to inhabit the country where he was born and to live there in freedom. Greece would in return be happy to keep within her borders those industrious people against whom she hates to take exceptional measures. Unfortunately the other party concerned was not willing to agree to these proposals, and the convention concerning compulsory exchange has had to be drafted and concluded.

"Nevertheless, the Greek delegation to-day feel bound once more to renew their proposal for the abandonment of the compulsory exchange before the conference with all solemnity, and will be happy if it could be accepted. Only in the contrary event will they submit to an unavoidable necessity and sign the convention.

"Once that convention has been concluded, the Greek delegation also regard it as their duty to invite serious attention to the respect which is due to the convention, both in letter and spirit. It forbids any measure, direct or indirect, which might bring about the removal of any population from the districts concerned in the exchange before the Mixed Commission instituted by the convention has made provision for such removal, under the conditions laid down after long and arduous discussion."

M. Veniselos further expressed his most sincere thanks to all the members of the sub-commission, especially to Mr. Ryan and, above all, to M. Montagna, who had displayed boundless energy and zeal in seeking to secure the conclusion of these conventions.

Lord Curzon wished to add a few words as president of the commission. He had been glad to hear Ismet Pasha express pleasure at a positive result having been obtained in respect of these two conventions. Lord Curzon shared that pleasure, and hoped that his Excellency would give the conference the opportunity of expressing similar satisfaction on a larger scale at the early part of the next week.

All who had spoken that morning had given testimony to the spirit of conciliation which had animated both parties, and mention had been made of more than one member of the sub-commission who had contributed materially to the result: but the chief credit was undoubtedly due to its chairman, M. Montagna, of whose untiring energy and zeal M. Veniselos had just spoken. The successful issue of the labours of the sub-commission was in the main due to his inexhaustible patience, courage and resourcefulness. M. Montagna had described the difficulties encountered and the manner in which they had been overcome, and Lord Curzon would only add a few observations on the main principles of the agreements before the commission.

The first of the two conventions dealt with the civilian hostages and the prisoners of war in Greek and Turkish hands, and was to come into force immediately upon signature. Everyone would welcome this result, for it would put an immediate end not only to terrible anxiety, but also to much suffering on the part of the individuals concerned. It was agreed that the civilian hostages removed from Turkish territory by the Greek forces were to be returned at once, that all Turkish prisoners in Greek hands were to be restored, and that an equal number of Greek prisoners in Turkey should be returned in exchange. The remainder of the Greek prisoners in Turkey were to be restored as soon as peace was signed. The execution of the agreement was to be placed under the auspices of a commission representing the International Red Cross. M. Montagna had already seen a representative of that body, which was prepared to undertake the task. The only point remaining was the signature of the convention, and M. Montagna had explained that for practical reasons this could only take place on the 30th January. When that had been done, very substantial results would have been obtained.

The second agreement dealt with very much larger aggregations of humanity, inasmuch as it related to the exchange of the Greek population of Turkey, excepting Constantinople, as against the Moslem population of Greece, excepting Western Thrace. M. Montagna had indicated that the convention for this exchange would be ready for signature on the 30th January. The exchange was to take effect as from the beginning of next May, and was to be on a compulsory basis. Lord Curzon wished to say once more, for the last time, that he felt sure all the delegates—including particularly those of the two Powers principally concerned, Turkey and Greece—viewed with abhorrence and almost with dismay the principle of compulsory exchange. One need only read the papers to realise how widely this feeling of dissatisfaction had spread; and the conference had only yielded to the demand that the exchange should be compulsory because all those who had studied the matter most closely seemed to agree that the suffering entailed, great as it must be, would be repaid by the advantages which would ultimately accrue to both countries from a greater homogeneity of population and from the removal of old and deep-rooted causes of quarrel. In this respect the Allied Powers had attempted to do no more than to act in the rôle of mediators. They had refrained from pressing either side to accept the principle of exchange; but once it had been accepted, they had made every endeavour to secure the conclusion of an agreement capable of practical application and of a character to reduce the inevitable suffering and material loss to the narrowest possible dimensions. The convention was to come into force simultaneously with the Treaty of Peace, except as regards those Greeks of military age whose families were already in Greece and whom Turkey had agreed to set free to rejoin their families as soon as peace was signed.

It was quite possible that difficulties might be raised in the execution of these conventions; and, in conclusion, Lord Curzon would only appeal to both parties—to the representatives of the

Turkish Government on the one hand and of the Greek Government on the other—to carry out the agreements in a spirit of loyalty, not only to the conventions themselves, but also to humanity. It was impossible to move such great communities without a great deal of suffering and distress, and he almost shuddered to think of what might be entailed when he contemplated this large exodus of whole families and groups and sections of the population. He earnestly hoped that the process might be made as easy as possible, and that much as the delegates might regret the methods to be employed, their regrets would be merged in a spirit of higher satisfaction at the manner in which the agreement was carried out.

Prisoners of War and Graves.

Admiral Chiloiti, president of the sub-commission appointed to examine the provisions relating to prisoners of war and graves, read the report of the sub-commission, dated the 25th January, 1923 (Annex D).

1. *Prisoners of War.*

Ismet Pasha stated that the six draft articles concerning civilian and military prisoners would be applicable between all the Powers except Greece and Turkey. At the sub-commission agreement had been reached on all these articles except the third. In regard to that article, the Turkish delegation had asked that the benefit of the reciprocal amnesty might be extended to all prisoners, whatever were the nature of the offence or crime committed by them. Although all the delegations had accepted this proposal in principle, they had wished to maintain the right to detain all prisoners and interned persons who had been sentenced for offences other than those against discipline, the object in view being to include in the treaty an article corresponding to similar provisions in other treaties.

Provisions which had been laid down by common agreement and on a basis of reciprocity in a treaty between two States could not be invoked by a third State which was bound by a different treaty. Moreover if the third State in question wished to advance a claim of this kind, it could always take advantage of the declaration annexed to this treaty, of which the declaration formed an integral part.

Consequently the Turkish delegation asked that article 3 might be suppressed and that an addition might be made to article 2, stating that the amnesty was extended to prisoners of war and interned civilians who were awaiting trial or undergoing sentence for crimes or offences against the ordinary law.

The effect of the Powers' declaration was that persons who had committed crimes or offences since the 20th November, 1922, would not enjoy the benefit of the provisions contained in that declaration. Ismet Pasha asked the Allied delegations to advance the date in question to that of the signature of this agreement, acting in that spirit of humanity and pacification which underlay article 5 of the Turco-Greek Convention in regard to Exchange of Populations.

Lord Curzon spoke as follows:

Ismet Pasha has explained the objection of his delegation to article 3 in the form in which it now stands. Perhaps I may put before the commission in a few words why it is that we feel bound to adhere to our position. Ismet Pasha has appealed to the spirit of humanity. I appeal, on the other hand, to the spirit of justice. I understand that Ismet Pasha is only willing to accept article 3, which is to the effect that persons guilty of common crimes can be detained in prison, on condition that the Allies sign a declaration stating that they will surrender this right and return such prisoners when the treaty is ratified. The Allies, on their part, are quite prepared to declare that they will release all prisoners except those who have committed criminal offences since the 20th November, 1922. What is the reason for our insistence? It is that if this provision is not inserted, the Turkish

murderers of one British sailor and two British soldiers at Constantinople a short time ago would have to be released on the ratification of the treaty, and the same measure of injustice would have to be dealt out to any other criminals who may, in the interval, perpetrate a similar assault or murder on any member of the Allied armies of occupation. I read only this morning that three more British soldiers had been shot in the streets of Constantinople. It is intolerable that the guilty parties, if discovered, should go unpunished. We are bound to protect our men just as Ismet Pasha is bound to protect his, and I absolutely decline to agree to anything which will involve the acquittal or escape from punishment of these assassins. If his point of view were admitted it would be tantamount to encouraging the murder of our men. No self-respecting Government could agree to such a proposal. I should be only too delighted to see our men withdrawn from Constantinople, but so long as they are there do let us give them the protection to which they are entitled. That is why the British delegation feel obliged to insist on this form of words."

Ismet Pasha explained why he asked for the suppression of article 3 in the draft relating to prisoners of war. That article contemplated the continued detention of prisoners of war or interned civilians awaiting trial or undergoing sentence for acts other than offences against discipline. On the other hand the Powers were to make a declaration in the contrary sense, which was to be annexed to the treaty and have the same force. Thus the objection of the Powers had no intrinsic value and fell to the ground. The Turkish delegation therefore considered that both in right and in fact the suppression of article 3 was obviously necessary.

Ismet Pasha was deeply moved at hearing of the incidents mentioned by Lord Curzon. Without even waiting to learn the results of enquiry into the matter, or to know whether the acts in question were really attributable to Turks, he declared that he disapproved of them, whoever the persons responsible might be. When the Turkish delegation asked for the restoration of prisoners of war and interned civilians awaiting trial or undergoing sentence for offences other than those against discipline, they did not in the least mean to say that the guilty would be pardoned. But the principle of restoration was recognised in all countries and in all treaties. Ismet Pasha once more expressed regret that the point of view of the Turkish delegation should be interpreted so disagreeably, and that this interpretation should tend to create a belief that the guilty were being and would be encouraged. He wished to assure the Allied delegations, and Lord Curzon in particular, that the guilty would be punished in every case. But he asked that even in such cases the methods recognised and practised everywhere else should be accepted and applied.

2. *Graves.*

Ismet Pasha said that the Turkish delegation considered it a duty towards humanity to facilitate to the utmost the application of all measures which tended to the proper preservation of cemeteries, on condition that they received a guarantee of reciprocal treatment. It was a tradition with the Turks to venerate the abodes of the dead. It would, however, be recognised that the first thing to do, when one wished to assign a piece of ground to the burial of the dead and to the erection of commemorative monuments, was to reach a previous agreement with the owners of the land. As a certain number of cemeteries on the Gallipoli Peninsula had already been assigned to this purpose, the Turkish delegation spontaneously agreed to the maintenance of those cemeteries where they now lay. This was sufficient proof of the deep respect felt by the Turks for these places. It went without saying that in determining the extent and area of these cemeteries, it was absolutely necessary to obtain the approval of the Turkish member of the Graves Commission. If, as the result of further investigation, it proved that the ground thus assigned exceeded in area what was considered necessary, the Turkish delegation held that the extra ground should be restored, without giving rise to any removal of graves.

In a district which had been under Allied military occupation ever since the armistice, it was impossible that all the remains of the dead should not have been collected together. The Turkish delegation also thought it altogether unjust to preserve the text of an article taken from the draft Treaty of Sèvres (which had never been approved) regarding the assignment of a large expanse of ground outside the cemeteries at Ari Burnu.

Like many other peoples, the Turkish nation had freely shed their blood on many fields of battle in many regions outside their mother country. The Turkish delegation therefore hoped that the Allied delegations, appreciating both the accuracy and the justice of their reasoning and arguments, would do them the honour of not insisting on the maintenance of article 6 in the draft concerning graves.

Lord Curzon said: "I do not think that the Turkish delegation have any idea whatever of the depth and seriousness of the sentiments that are aroused by this question. Ismet Pasha began just now by enunciating the soundest principles, and he went on to say that no nation is disposed to exhibit a greater respect for the dead and for the places where the dead lie than the Turkish people. I wish I could feel that this is altogether consistent with the facts. I am afraid it is not. Since the war and even during the past year I have read of too many occasions on which Turkish soldiers have shown an incredible lack of respect to the cemeteries of the dead. I should like to take Ismet Pasha to Smyrna and show him the condition of the British cemetery at this moment—to Aintab and show him the condition of the French cemetery there—and thus demonstrate to him the way in which the Turkish authorities have carried out the excellent principles which he laid down just now. As regards the present case, I should like both the commission and the world to understand what is the exact point at issue between the Turkish delegation and ourselves, because I think they would hardly deem it credible that such a position could be taken up as has been assumed by the Turkish delegation in this matter.

"Their first reservation is with regard to article 6, and it relates to a strip of ground in which lie the bodies of the men who came from the distant countries of Australia and New Zealand to fight for the cause of the British Empire and of peace. These people, inspired by the highest patriotism, came from the ends of the earth to fight in the noblest of causes. Cannot we allow these dead to repose in circumstances of dignity and peace? The piece of land involved is a little bit of rough ground some 4½ kilom. long and only 1½ kilom. broad. In this area there are nineteen actual cemeteries; and over all the ground between, which is a network of old trenches, half covered in or not covered in, lie the unidentified remains of many other soldiers. The ground is uninhabited and uncultivated. It is of no value to the Turkish Government or to any human being, but to Australians and New Zealanders, whose sons and brothers lie there, it is of the deepest historical and sentimental significance. The Turkish delegation say that they are quite prepared to recognise the nineteen cemeteries, but they actually claim that the little patches of land which separate these cemeteries should be excluded. What we say is that all this area should be treated as one whole, and should be respected as sacred ground. It seems to me impossible that any nation could take a different view of its duty to its dead, and I have merely to state the case to the commission to convince them of the justice of the attitude we have taken up.

"The second Turkish reservation relates to article 7, and concerns the graves which have already been established by a British commission in several parts of the Gallipoli Peninsula. Now the Allies have shown themselves quite willing to allow the Turks a voice in determining the site and the arrangement of new cemeteries, but we cannot allow them to make any alteration in those which have already been established. Of course, the Turkish authorities may visit them and take note of their design, but we cannot consent that they should make an alteration in the latter. The Imperial War Graves Commission—a body organised to represent the various parts of the British Empire, who fought and lost so many thousands of men on the Gallipoli Peninsula—has already spent vast sums of money in creating and establishing the cemeteries in the peninsula, in accordance with their general design for collecting in cemeteries the bodies of soldiers of the British Empire who lost their lives on the various battlefields in the war. If I had known that the question was to be disputed I would have brought photographs to show the commission the nature of the ground. This work has been practically completed, and we really cannot consent that the Turkish Government should now intervene and attempt to modify or restrict the designs which have already been carried out.

"When Ismet Pasha spoke just now about the Turkish respect for the dead I could not help remembering that in the earlier stages of the sub-commission the Turks actually proposed that the corpses already buried in these cemeteries should be dug up and that one large cemetery should be created at Gallipoli, into which every body should be tossed. That proposal was received with horror by the Allies, and could not be persisted in by the Turkish delegation. Upon the two points which I have mentioned this morning the British delegation, who are chiefly interested, absolutely decline to give way. Ismet Pasha talked about reciprocity. Let us have reciprocity. Let him come with me and see the way in which we treat the Turkish cemeteries in Mesopotamia, in Palestine and on the Suez Canal. I ask for nothing better. You cannot haggle over the dead. You can haggle over everything else, as you have been doing during the last few weeks, but you cannot bargain with the corpses of the soldiers who have lost their lives in the service of their country. In a matter of this sort you are up against the outraged sentiments of humanity. We respect your sentiments; do the same with ours. When I go into a Turkish mosque I am quite prepared to put slippers or other coverings on my feet to keep them from touching the pavement because you regard it as holy ground. We have exactly the same sentiments for the ground in which the bodies of our soldiers lie, and we insist on proper respect for it. I said just now that we are only too anxious to remove our troops from Constantinople. We are equally anxious to remove the British troops from Gallipoli. Not a man shall be moved until this question has been settled in a spirit of decency, equity and honour."

Ismet Pasha said that the Turkish delegation thought it useless to reply to all Lord Curzon's arguments. They recognised that it was an extremely delicate matter to examine and discuss the question of cemeteries and graves. In order to avoid all misunderstanding and to remove any false interpretation, the Turkish delegation wished to state the problem with all possible clearness. If everyone saw and knew the truth, they would do the Turkish delegation the justice of recognising that their feelings were perfectly honourable. The head of the British delegation had referred to certain incidents which were said to have occurred at Smyrna and elsewhere. Lord Curzon would recollect that there had previously been some talk of similar incidents, and that the Turkish authorities had then made the necessary enquiries, the result of which was to satisfy the British entirely and set their minds at rest. While military operations were actually proceeding there had likewise been occasion to note certain regrettable acts of the same kind; but it had been proved that these acts had not been committed by Turks at all. On the contrary, it was a matter of official knowledge that the Turkish authorities themselves had notified the facts to the British and asked them to take the necessary precautions with all urgency. The Turkish delegation could therefore assure the head of the British delegation that all possible measures had been taken with a view to the preservation of the British and French cemeteries. If certain isolated acts had taken place at the very moment of military operations, there was absolutely no reason or proof which justified anyone in attributing them either to the Turkish nation or to the Turkish authorities. On the other hand, when the Turkish troops drew near to Chanak-Kalé, they had the sorrow of finding that the Turkish cemeteries had undergone a treatment very different from that which both the Allies and the Turks wished in regard to foreign cemeteries. The Turkish delegation accordingly asked that the voices of all parties should be heard with fairness, and that credence should not be given only to idle tales which had not been verified.

Reverting to the particular question of the Gallipoli cemeteries, the Turkish delegation wished to make a solemn declaration before the conference and the public opinion of the civilised world, to the effect that for them and for their companions in arms—in other words, for the whole Turkish nation in arms—no one could be the object of greater veneration than the soldiers of all countries without distinction who had fallen on the field of battle—the warriors who had died for the noblest ideal imaginable, namely, that of patriotism. Those who perished on the battlefield were regarded by the Turks as saintly and holy and endowed with divine grace. For the very reason that they attached the highest importance to this respect for fallen soldiers, the desire of the Turks was not to pollute that sentiment with political or strategical designs. The existence of foreign cemeteries in Turkey and at Gallipoli proved that they were respected; but it was impossible to understand how this could serve as a pretext for enlarging their area. For instance, if a patch of ground equal to the area of the conference room were required for the burial of two bodies, one would not proceed to enclose the whole locality of Ouchy. Therefore, if measures had been taken which were afterwards recognised to be superfluous, it seemed natural to correct the mistake and return to the owner such land as was not necessary for the burial of the bodies which had been found.

Ismet Pasha then dealt with the question of the Ari Burnu district. The Turks, he said, had conceded all the ground required for the existing cemeteries. It was inconceivable that those requirements could continue to increase indefinitely. A demand was now being made not only for the cemeteries, but for the battlefields. The method of consecrating battlefields by appropriation had hitherto been unknown. According to this theory the Turks, who had shed their blood copiously on many vast battlefields outside Turkey, could with still greater justice claim similar rights. But no one would experience any difficulty in recognising that this matter bore no relation to the question of graves. The territory claimed by Lord Curzon was not a cemetery, but a strip of land which had served as the chief base of operations during the Dardanelles campaign and could always be utilised for the same purpose. Ismet Pasha asked the conference what relation this question could have with that of graves. In his view it was the duty of the delegates not to confuse and embitter the delicate question of graves by intertwining it with other problems and with political and military designs. He hoped that these honourable and courageous explanations would convince public opinion everywhere that the Turks treated the remains of heroes with boundless respect, but that it was repugnant to them to mix this question up with the interests of the living.

Lord Curzon said: "I will only say one sentence in reply to what we have just heard, and that is that I am sorry that the Turkish delegation have once more lost the opportunity of performing an elementary act of humanity and honour."

Ismet Pasha, in reply to this remark, said that the Turkish Government, which had never hitherto let pass a single opportunity of fulfilling its duties of piety and honour, would be happy to continue to do so, to the same extent and in the same manner as all other foreign Governments. He repeated that he had no reason to believe that graves would be less respected by the Turks than by other nations.

(The commission rose at 11·55 A.M.)

Annex (A).

IX.

Agreement between Greece and Turkey respecting the Reciprocal Restitution of Interned Civilians and the Exchange of Prisoners of War.

The undersigned Turkish and Greek plenipotentiaries, acting in accordance with their respective full powers, found in good and due form, have agreed as follows, with a view to ensuring the reciprocal restitution of interned civilians at present detained in Greece and in Turkey, and for the exchange of prisoners of war.

Chapter I.—*Interned Civilians.*

Article 1.

Turkish hostages and civilian prisoners at present detained in Greece will be repatriated by the Greek Government. The latter will in principle cause persons emanating from Anatolia to be transported to Smyrna and those emanating from Thrace to Constantinople.

The restitution of these persons, who shall be checked on their embarkation in Greece, shall in principle begin seven days after the signature of the present agreement. The restitution will be completed as follows:

(*a.*) Within not more than two weeks, in so far as persons figuring on lists furnished by the Greek Government are concerned.

(*b.*) With the least possible delay, in so far as persons who have to be sought and who figure on lists furnished by the Turkish Government, are concerned.

Article 2.

Greek hostages and civilian prisoners, who may be detained by the Turks, shall be collected at Smyrna or Constantinople by the Turkish Government, in such a manner that their repatriation may take place immediately after that of the Turkish civilian hostages mentioned in paragraph (*a*) of article 1, and in such a manner that the repatriation of persons who have to be sought may take place with the least possible delay.

Article 3.

The lists of persons to be repatriated, which have been furnished by the Turkish and Greek Government respectively, shall be completed later.

Chapter II.—*Prisoners of War.*

Article 4.

As soon as possible after the date on which the Greek Government shall have restored to the Turkish Government the Turkish civilian hostages mentioned in paragraph (*a*) of article 1, and within a period not exceeding fifteen days from that date, Greece shall restore to Turkey and shall transport to Smyrna simultaneously all the Turkish prisoners of war detained by her.

Turkey shall thereupon restore to Greece an equivalent number of Greek prisoners of war, officer for officer, soldier for soldier. These prisoners of war will be collected by the Turkish Government at such time and in such places, that they may be repatriated on the return voyage of the Greek vessels which brought the Turkish prisoners of war.

The remainder of the Greek prisoners of war shall be repatriated by the Turkish Government immediately after the signature of the Treaty of Peace and within three weeks from the date of that signature.

Article 5.

With the object of allaying animosity, the Greek and Turkish Governments undertake respectively to extend the benefit of the amnesty to all prisoners of war and interned civilians detained by them, both those who are awaiting trial or undergoing sentence for crimes or offences against the ordinary law, and those who are awaiting trial or undergoing sentence for offences against discipline; the two Governments agree to repatriate such persons without distinction and irrespective of the completion of their sentence, or of the proceedings pending against them.

Chapter III.—*Commission for the Execution of this Agreement.*

Article 6.

An international commission comprising three representatives of the Red Cross Societies, nationals of States not having taken part in the war of 1914–18, and a representative of the Greek

and Turkish Governments respectively, shall be entrusted with the task of directing the operations connected with the restitution of the hostages and civilian prisoners and the exchange of prisoners of war, under the conditions prescribed in Chapters I and II above. This commission shall settle the methods by which these operations shall be effected, and shall supervise the execution thereof. The commission shall be in particular entrusted with the duty of—

(a.) Receiving from the Greek and Turkish authorities at the ports of embarkation the hostages and prisoners to be repatriated, verifying their number and identity, effecting the surrender of those hostages and prisoners to the Turkish and Greek authorities at the points of disembarkment.

(b.) Settling in accordance with the Greek and Turkish Governments the transport from the points of embarkation of the Turkish and Greek hostages and prisoners to be repatriated. The Greek Government shall furnish with this object the necessary means of maritime transport.

. Proceeding with the collaboration of the Greek and Turkish Governments and authorities with all researches and enquiries necessary to establish the fate of civilian hostages and of prisoners of war claimed by one or other Government and not handed over.

The Governments concerned undertake to furnish with this object all assistance to the commission and to grant it all facilities.

ARTICLE 7.

The expenses of the maintenance and of the work of the commission shall be borne in equal parts by the Greek and Turkish Governments.

The present agreement will enter into force at once.

Done in duplicate at Lausanne the day of 192 .

ANNEX B.

VIII.

Draft Convention concerning the Exchange of Greek and Turkish Populations.

THE Government of the Grand National Assembly of Turkey and the Greek Government have agreed upon the following provisions :—

ARTICLE 1.

As from the 1st May, 1923, there shall take place a compulsory exchange of Turkish nationals of the Greek Orthodox religion established in Turkish territory, and of Greek nationals of the Moslem religion established in Greek territory.

These persons shall not return to live in Turkey or Greece respectively without the authorisation of the Turkish Government or of the Greek Government respectively.

ARTICLE 2.

The following persons shall not be included in the exchange provided for in article 1 :—

(a.) The Greek inhabitants of Constantinople.

(b.) The Moslem inhabitants of Western Thrace.

All Greeks who were already established before the 30th October, 1918, within the areas under the prefecture of the city of Constantinople, as defined by the law of 1912, shall be considered as Greek inhabitants of Constantinople.

All Moslems established in the region to the east of the frontier line laid down in 1913 by the Treaty of Bucharest shall be considered as Moslem inhabitants of Western Thrace.

ARTICLE 3.

Those Greeks and Moslems who have already, and since the 18th October, 1912, left the territories the Greek and Turkish inhabitants

of which are to be respectively exchanged, shall be considered as included in the exchange provided for in article 1.

The expression "emigrant" in the present convention includes all physical and juridical persons who have been obliged to emigrate or have emigrated since September 1912.

ARTICLE 4.

All able-bodied men belonging to the Greek population, whose families have already left Turkish territory, and who are now detained in Turkey, shall constitute the first instalment of Greeks sent to Greece in accordance with the present convention.

ARTICLE 5.

Subject to the provisions of articles 9 and 10 of the present convention, the rights of property and monetary assets of Greeks in Turkey or Moslems in Greece shall not be prejudiced in consequence of the exchange to be carried out under the present convention.

ARTICLE 6.

No obstacle may be placed for any reason whatever in the way of the departure of a person belonging to the populations which are to be exchanged. In the event of an emigrant having received a definite sentence of imprisonment, or a sentence which is not yet definitive, or of his being the object of criminal proceedings he shall be handed over by the authorities of the prosecuting country to the authorities of the country whither he is going, in order that he may serve his sentence or be brought to trial.

ARTICLE 7.

The emigrants will lose the nationality of the country which they are leaving, and will acquire the nationality of the country of their destination, upon their arrival in the territory of the latter country

Such emigrants as have already left one or other of the two countries and have not yet acquired their new nationality, shall acquire that nationality on the date of the signature of the present convention.

ARTICLE 8.

Emigrants shall be free to take away with them or to arrange for the transport of their movable property of every kind, without being liable on this account to the payment of any export or import duty or any other tax.

Similarly, the members of each community (including the personnel of mosques, tekkes, meddresses, churches, convents, schools, hospitals, societies, associations and juridical persons, or other foundations of any nature whatever) which is to leave the territory of one of the contracting States under the present convention, shall have the right to take away freely or to arrange for the transport of the movable property belonging to their communities.

The fullest facilities for transport shall be provided by the authorities of the two countries, upon the recommendation of the mixed commission provided for in article 11.

Emigrants who may not be able to take away all or part of their movable property can leave it behind. In that event, the local authorities shall be required to draw up, the emigrant in question being given an opportunity to be heard, an inventory and valuation of the property left by him. *Procès-verbaux* containing the inventory and the valuation of the movable property left by the emigrant shall be drawn up in four copies, one of which shall be kept by the local authorities, the second transmitted to the mixed commission provided for in article 11 to serve as the basis for the liquidation provided for by article 9, the third shall be handed to the Government of the country to which the emigrant is going, and the fourth to the emigrant himself.

ARTICLE 9.

Immovable property, whether rural or urban, belonging to emigrants, or to the communities mentioned in article 8, and the movable property left by these emigrants or communities, shall be

liquidated in accordance with the following provisions by the mixed commission provided for in article 11.

Property situated in the districts to which the compulsory exchange applies and belonging to religious or benevolent institutions of the communities established in a district to which the exchange does not apply, shall likewise be liquidated under the same conditions.

ARTICLE 10.

The movable and immovable property belonging to persons who have already left the territory of the high contracting parties and are considered, in accordance with article 3 of the present convention, as being included in the exchange of populations, shall be liquidated in accordance with article 9. This liquidation shall take place independently of all measures of any kind whatever, which, under the laws passed and the regulations of any kind made in Greece and in Turkey since September 1912, or in any other way, have resulted in any restriction on rights of ownership over the property in question, such as confiscation, forced sale, &c. In the event of the property mentioned in this article or in article 9 having been submitted to a measure of this kind, its value shall be fixed by the commissions provided for in article 11, as if the measures in question had not been applied.

As regards expropriated property, the mixed commission shall undertake a fresh valuation of such property, if it has been expropriated since 1912, having previously belonged to persons liable to the exchange of populations in the two countries, and is situated in territories to which the exchange applies. The commission shall fix for the benefit of the owners such compensation as will repair the injury which the commission has ascertained. The total amount of this compensation shall be carried to the credit of these owners and to the debit of the Government on whose territory the expropriated property is situated.

In the event of any persons mentioned in articles 8 and 9 not having received the income from property, the enjoyment of which they have lost in one way or another, the restoration of the amount of this income shall be guaranteed to them on the basis of the average yield of the property before the war, and in accordance with the methods to be laid down by the mixed commission.

The mixed commission provided for in article 11, when proceeding to the liquidation of Wakf property in Greece and of the rights and interests connected therewith, and to the liquidation of similar foundations belonging to Greeks in Turkey, shall follow the principles laid down in previous treaties with a view to fully safeguarding the rights and interests of these foundations and of the individuals interested in them.

The mixed commission provided for in article 11 shall be entrusted with the duty of executing these provisions.

ARTICLE 11.

Within one month from the coming into force of the present convention a mixed commission shall be set up in Turkey or in Greece consisting of four members representing each of the high contracting parties, and of three members chosen by the Council of the League of Nations from among nationals of Powers which did not take part in the war of 1914–18. The presidency of the commission shall be exercised in turn by each of these three neutral members.

The mixed commission shall have the right to set up, in such places as it may appear to them necessary, sub-commissions working under its order. Each such sub-commission shall consist of a Turkish member, a Greek member and a neutral president to be designated by the mixed commission. The mixed commission shall decide the powers to be delegated to the sub-commission.

ARTICLE 12.

The duties of the mixed commission shall be to supervise and facilitate the emigration provided for in the present convention, and to carry out the liquidation of the movable and immovable property for which provision is made in articles 9 and 10.

The commission shall settle the methods to be followed as regards the emigration and liquidation mentioned above.

In a general way the Mixed Commission shall have full power to take the measures necessitated by the execution of the present convention and to decide all questions to which this convention may give rise.

The decisions of the Mixed Commission shall be taken by a majority.

All disputes relating to property, rights and interests which are to be liquidated shall be settled definitely by the commission.

ARTICLE 13.

The Mixed Commission shall have full power to cause the valuation to be made of the movable and immovable property which is to be liquidated under the present convention, the interested parties being given a hearing or being duly summoned so that they may be heard.

The basis for the valuation of the property to be liquidated shall be the value of the property in gold currency

ARTICLE 14.

The commission shall transmit to the owner concerned a declaration stating the sum due to him in respect of the property of which he has been dispossessed, and such property shall remain at the disposal of the Government on whose territory it is situated.

The total sums due on the basis of these declarations shall constitute a Government debt from the country where the liquidation takes place to the Government of the country to which the emigrant belongs. The emigrant shall in principle be entitled to receive in the country to which he emigrates, as representing the sums due to him, property of a value equal to and of the same nature as that which he has left behind.

Once every six months an account shall be drawn up of the sums due by the respective Governments on the basis of the declarations as above.

When the liquidation is completed, if the sums of money due to both sides correspond, the accounts relating thereto shall be balanced. If a sum remains due from one of the Governments to the other Government after a balance has been struck, the debit balance shall be paid in cash. If the debtor Government requests a postponement in making this payment, the commission may grant such postponement, provided that the sum due be paid in three annuities at most. The commission shall fix the interest to be paid during the period of postponement.

If the sum to be paid is fairly large and requires longer postponement, the debtor Government shall pay in cash a sum to be fixed by the Mixed Commission, up to a maximum of 20 per cent. of the total due, and shall issue in respect of the balance loan certificates bearing such interest as the Mixed Commission may fix, to be paid off within twenty years at most. The debtor Government shall assign to the service of these loans pledges approved by the commission, which shall be administered and encashed by the International Commission in Greece and by the Council of the Public Debt at Constantinople. In the absence of agreement in regard to these pledges, they shall be selected by the Council of the League of Nations.

ARTICLE 15.

With a view to facilitating emigration, funds shall be advanced to the Mixed Commission by the States concerned, under conditions laid down by the said commission.

ARTICLE 16.

The Turkish and Greek Governments shall come to an agreement with the Mixed Commission provided for in article 11 in regard to all questions concerning the notification to be made to persons who are to leave the territory of Turkey and Greece under the present convention, and concerning the ports to which these persons are to go for the purpose of being transported to the country of their destination.

The high contracting parties undertake mutually that no pressure, direct or indirect, shall be exercised on the populations which are to be exchanged with a view to making them leave their homes or abandon their property before the date fixed for their departure. They likewise undertake to impose on the emigrants who have left or who are to leave the country no special taxes or dues. No obstacle shall be placed in the way of the inhabitants of the districts excepted from the exchange under article 2 exercising freely their right to remain in or return to those districts and to enjoy to the full their liberties and rights of property in Turkey and in Greece. This provision shall not be invoked as a motive for preventing the free alienation of property belonging to inhabitants of the said regions which are excepted from the exchange, or the voluntary departure of those among these inhabitants who wish to leave Turkey or Greece.

ARTICLE 17.

The expenses entailed by the maintenance and working of the Mixed Commission and of the organisations dependent on it shall be borne by the Governments concerned in proportions to be fixed by the commission.

ARTICLE 18.

The high contracting parties undertake to introduce in their respective laws such modifications as may be necessary with a view to ensuring the execution of the present convention.

ARTICLE 19.

The present convention shall have the same force and effect as between the high contracting parties as if it formed part of the Treaty of Peace to be concluded with Turkey. It shall come into force immediately after the ratification of the said treaty by the two high contracting parties.

Done at Lausanne, the , 192 , in three copies, one of which shall be transmitted to the Greek Government, one to the Government of the Grand National Assembly of Turkey, and the third shall be deposited in the archives of the Government of the French Republic, which shall deliver certified copies to the other Powers signatory of the Treaty of Peace with Turkey.

ANNEX (C).

Draft Protocol.

THE undersigned Turkish plenipotentiaries, duly authorised to that effect, declare that, without waiting for the coming into force of the convention with Greece of even date, relating to the exchange of the Greek and Turkish populations, and by way of exception to article 1 of that convention, the Turkish Government, on the signature of the Treaty of Peace, will release the able-bodied men referred to in article 4 of the said convention, and will provide for their departure.

Done at Lausanne, the , 192 .

ANNEX (D).

Report of the Sub-Commission required to examine the provisions to be inserted in the treaty regarding prisoners of war and graves.—(January 25, 1923.)

THE sub-commission has drawn up the two attached drafts, which it has the honour to submit to the commission.

1. *Prisoners of War.*

All these articles have been agreed to unanimously with the exception of article 3, the insertion of which was asked for by certain delegations, especially by the French delegation, with the object of maintaining in the treaty a provision common to the treaties already signed with Germany, Austria, Hungary and Bulgaria, and of thus

removing any pretext for dispute which those Powers, and Germany in particular, might raise on the ground of differential treatment.

The adoption of this article 3 by the Turkish delegation has been made conditional on the contracting Powers, other than Greece and Turkey, declaring themselves prepared to apply in the same manner as the two latter Powers the provisions of article 5 of the Græco-Turkish Agreement regarding the restitution of civil hostages and the exchange of prisoners of war.

A draft declaration drawn up by the interested delegations—French, British, Italian, Japanese, Roumanian, Serb-Croat-Slovene—of which a copy is attached, has been presented to the Turkish delegation. The latter have declared that they can only accept it subject to the omission of the last part of the sentence which reads: "with the exception of those who have committed crimes and offences against the ordinary law since the 20th November, 1922," and the interested Powers not having agreed to this omission, the Turkish reservation on article 3 is maintained.

2. *Graves.*

Articles 1, 2, 3, 4, 5, 8, 9, 10, 11, 12 and 13, have been unanimously agreed to.

Article 6 has been expressly reserved by the Turkish delegation.

As regards article 7, the Turkish delegation asks that its second paragraph be completed by a provision giving the Turkish representative delegated to the commission which is provided for by the said article 7 the right, after the recognition and identification of the graves, cemeteries and memorials already established, to arrange for modifications in the case of those whose area may exceed what is necessary, with a view to reducing their extent to the required size.

(Signed) ADMIRAL CHELOTTI.

Sub-Commission of Prisoners of War and Graves.—(January 19, 1923.)

ARTICLE 1.

The high contracting parties agree to repatriate immediately the prisoners of war and interned civilians who are still in their hands.

The exchange of prisoners of war and interned civilians detained by Greece and Turkey respectively, forms the subject of a special agreement between those Powers, signed on the , 1923.

[*Adopted.*]

ARTICLE 2.

Prisoners of war and interned civilians awaiting disposal or undergoing sentence for offences against discipline, shall be repatriated irrespective of the completion of their sentence or of the proceedings pending against them.

[*Adopted.*]

ARTICLE 3.

Prisoners of war and interned civilians who are awaiting trial or undergoing sentence for offences other than those against discipline may be detained.

[*Adopted with the reservation that the contracting parties other than Greece and Turkey declare themselves prepared to apply in the same manner as the two latter Powers, the provisions of article 5 of the Græco-Turkish Agreement regarding the restitution of civil hostages and the exchange of prisoners of war.*]

ARTICLE 4.

The high contracting parties agree to give every facility in their respective territories for the search for the missing and the identification of prisoners of war and interned civilians who have expressed their desire not to be repatriated.

[*Adopted.*]

ARTICLE 5.

The high contracting parties undertake to restore, on the coming into force of the present treaty, all articles, money, securities, documents and personal effects of every kind belonging to or having belonged to prisoners of war or interned civilians, which have been retained.

[*Adopted.*]

ARTICLE 6.

The high contracting parties waive reciprocally all repayments of sums due for the maintenance of prisoners of war captured by their armies.

[*Adopted.*]

Draft Declaration.

The . . . . Government, acknowledging the importance of the measure of pacification which forms the subject of article 5 of the convention concluded between the Greek Government and the Turkish Government for the restitution of civilian hostages and for the exchange of prisoners of war, declares itself ready to adopt, subject to reciprocity on the part of the Turkish Government, the same measures for the benefit of such Turkish prisoners of war and interned civilians who may still be in their hands, with the exception of those who have committed crimes and offences against the ordinary law since the 20th November, 1922.

Graves.—January 24, 1923.

ARTICLE 1.

Without prejudice to the special provisions of article 3 below, the high contracting parties will cause to be respected and maintained within the territories under their authority the cemeteries, graves, ossuaries and memorials of soldiers and sailors of each party who fell in action or died from wounds, accident or disease since the 30th October, 1914, as well as prisoners of war and interned civilians who died in captivity after that date.

The high contracting parties will agree to accord in their respective territories all necessary facilities to such commissions as each contracting party may appoint for the purpose of identification, registration and maintenance of the said cemeteries, ossuaries and graves and the erection of memorials on their sites. Such commissions shall not have any military character.

The high contracting parties reciprocally undertake, subject to the provisions of their national legislation and the requirements of public health, to furnish each other every facility for giving effect to requests that the bodies of such soldiers and sailors may be transferred to their own country.

[*Adopted.*]

ARTICLE 2.

The high contracting parties further undertake to furnish each other:—

1. The complete list of prisoners of war and interned civilians who have died in captivity, together with all information tending towards their identification.
2. All information as to the number and position of the graves of all those who have been buried without identification.

[*Adopted.*]

ARTICLE 3.

The maintenance of graves, cemeteries, ossuaries and memorials of Turkish soldiers, sailors and prisoners of war who may have died in Roumanian territory since the 30th October, 1914, as well as all other obligations resulting from articles 1 and 2 above regarding interned civilians shall form the subject of a special arrangement between the Roumanian Government and the Turkish Government.

[*Adopted.*]

ARTICLE 4.

In order to complete the general provisions included in articles 1 and 2 above, the Governments of Great Britain, France and Italy on the one hand, and the Turkish and Greek Governments on the other, agree to the provisions which form the subject of articles 5–13 below.

[*Adopted.*]

ARTICLE 5.

The Turkish Government undertakes to grant to the Governments of Great Britain, France and Italy, respectively and in perpetuity, in its territory, the land in which are situated the graves, cemeteries, ossuaries or memorials of their soldiers and sailors who fell in action or died of wounds, accident or disease, also of their prisoners of war and interned civilians who died in captivity. It will likewise grant to them the land which the commissions provided for in article 7 below shall consider necessary for the establishment of cemeteries, for the regrouping of ossuaries or of memorials.

It undertakes further to give free access to these graves, cemeteries, ossuaries and memorials, and, if need be, to authorise the construction of the necessary roads and pathways.

The Greek Government undertakes to fulfil the same obligations as far as concern its territory.

The above provisions shall not affect Turkish sovereignty or, as the case may be, Greek sovereignty, over the land thus granted.

[*Adopted.*]

ARTICLE 6.

The land to be granted by the Turkish Government will include in particular, as far as Great Britain is concerned, the area in the region of Anzac (Ari Burnu) which is indicated on the map.

[*Reserved by the Turkish delegation.*]

ARTICLE 7.

The British, French and Italian Governments shall appoint a commission, to which the Turkish and Greek Governments will appoint a representative, which shall be charged with the duty of regulating on the spot questions affecting graves, cemeteries, ossuaries and memorials. The duties of this commission shall extend particularly to—

1. The official recognition of the zones where burials have or might have taken place, and the registration of graves, cemeteries, ossuaries or memorials actually existing.
2. Fixing the conditions in which, if necessary, graves may in future be concentrated, and deciding, in agreement with the Turkish representative in Turkish territory, or with the Greek representative in Greek territory, the sites of the regrouped cemeteries, ossuaries and memorials still to be established, and defining the boundaries of these sites, reducing the land to be occupied to the indispensable minimum.
3. Communicating to the Turkish and Greek Governments, in the name of their respective Governments, the final plan of the graves, cemeteries, ossuaries and memorials set up or to be set up for their nationals.

[*Adopted under the following reservation by the Turkish delegation: The Turkish delegation claim for the Turkish representative on the commission the right, after the identification of the graves, cemeteries, ossuaries and commemorative monuments existing, to arrange for certain modifications in those whose extent may exceed what is necessary, with a view to the reduction of their area to the necessary size.*]

ARTICLE 8.

The Government in whose favour the grant is made undertakes not to employ or allow to be employed for any purpose, other than that provided for above, the land so conceded. If this land is situated on the coast, the shore is not to be employed by the concessionary Government for any military, marine or commercial purpose whatever. The sites of graves and cemeteries which may no longer be used for that purpose and which are not used for the cemeteries and ossuaries, as well as the exhumation and removal

erection of memorials shall be returned to the Turkish Government or, as the case may be, to the Greek Government.

[*Adopted.*]

ARTICLE 9.

Any necessary legislative or administrative measures for the grant to the British, French and Italian Governments respectively of full and exclusive use in perpetuity of the land referred to in articles 5, 6 and 7 above shall be taken by the Turkish and Greek Governments respectively within the six months which shall follow the notification provided for in article 7, paragraph 3. If any compulsory acquisition of the land is necessary, it will be effected by and at the cost of the Turkish and Greek Governments in their respective territories.

[*Adopted.*]

ARTICLE 10.

The British, French and Italian Governments may respectively entrust to such organisations as each of them may deem fit the establishment, arrangement and maintenance of the graves, cemeteries, ossuaries and memorials of their nationals. These organisations shall have no military character. They alone shall have the right to undertake the exhumation and transfer of bodies necessary for the concentration of graves and establishment of of such bodies as the concessionary Governments shall deem it necessary to transfer to their own country.

[*Adopted.*]

ARTICLE 11.

The British, French and Italian Governments shall have the right to entrust the care of their graves, cemeteries, ossuaries and memorials to custodians selected from among their nationals. These custodians shall be recognised by the Turkish authorities and shall receive from them every assistance necessary for the safeguard and protection of these graves, cemeteries, ossuaries and memorials. The custodians shall have no military character, but may be armed, for their personal defence, with a revolver or automatic pistol.

[*Adopted.*]

ARTICLE 12.

The land referred to in articles 5, 6, 7 and 8 above shall not be subjected by Turkey or the Turkish authorities, or, as the case may be, by Greece and the Greek authorities, to any form of rent or taxation. The representatives of the British, French and Italian Governments, as well as persons desirous of visiting the graves, cemeteries, ossuaries and memorials, shall at all times have free access thereto. The Turkish Government and the Greek Government, respectively, undertake to maintain in perpetuity the roads leading to the said land.

The Turkish Government and the Greek Government respectively undertake to afford to the British, French and Italian Governments all necessary facilities for obtaining a sufficient water supply for the requirements of the staff employed in maintaining or protecting the said cemeteries, graves, ossuaries and memorials, and for the irrigation of the land.

[*Adopted.*]

ARTICLE 13.

The British, French and Italian Governments undertake to accord to the Turkish Government the benefits of the provisions of articles 5 to 12 above for the establishment of graves, cemeteries, ossuaries and memorials of Turkish soldiers and sailors existing on the territories under their authority, including those territories detached from Turkey.

[*Adopted.*]

[E 1439/17/44] No. 203.

Mr. Henderson to the Marquess Curzon of Kedleston.—(Received February 5.)

(No. 66.)

HIS Majesty's representative at Constantinople presents his compliments to His Majesty's Secretary of State for Foreign Affairs, and has the honour to transmit herewith copy of correspondence with Adnan Bey respecting the ill-treatment of Raghib Oglou Fethi Effendi and others at the prisoners of war camp, Athens.

Constantinople, January 29, 1923.

Enclosure 1 in No. 203.

Adnan Bey to British High Commissioner.

IL résulte des informations parvenues au Ministère des Affaires étrangères du Gouvernement de la grande Assemblée nationale de Turquie que le pharmacien civil Raghib Oglou Fethi Effendi ainsi que ses autres compagnons se trouvant dans le camp des prisonniers de Liossa à Athènes, sont l'objet de toutes sortes de vexations de la part des autorités helléniques.

En attirant la bienveillante attention du Haut-Commissariat de Sa Majesté britannique sur l'état vraiment lamentable desdits prisonniers, Adnan Bey a l'honneur, d'ordre de son Gouvernement, de le prier de vouloir bien faire provoquer des ordres auprès de qui de droit afin que ces prisonniers ainsi que ceux se trouvant dans d'autres localités de la Grèce soient soumis à un traitement plus humain, auquel ils ont droit, jusqu'au résultat des négociations qui se poursuivent dans la conférence pour l'échange des prisonniers.

DR. ADNAN.

Constantinople, le 9 janvier 1923.

Enclosure 2 in No. 203.

Allied High Commissioners to Adnan Bey.

LES Hauts-Commissaires de France, de Grande-Bretagne et d'Italie ont l'honneur d'accuser réception de la note de son Excellence Adnan Bey du 9 janvier concernant les vexations de toute nature qui seraient infligées dans le camp de prisonniers de Liossa, près d'Athènes, au pharamcien civil Raghib Oglou Fethi Effendi et à ses compagnons.

Ils se sont empressés de porter cette communication à la connaissance des représentants de leurs Gouvernements à Athènes.

Ils ont le devoir de signaler à cette occasion que, d'après tous les renseignements qui leur parviennent, les prisonniers de guerre grecs retenus en Anatolie se trouvent, au point de vue de la nourriture, des vêtements et des conditions sanitaires, dans une situation déplorable qui ne pourra manquer, quand elle sera mieux connue, d'impressionner vivement l'opinion publique européenne et qui mérite d'appeler toute la sérieuse attention du Gouvernement de la grande Assemblée nationale de Turquie.

PELLÉ.
N. HENDERSON.
MAISSA.

Constantinople, le 25 janvier 1923.

[E 1442/6/44] No. 204.

Mr. Henderson to the Marquess Curzon of Kedleston.—(Received February 5.)

(No. 70.)

HIS Majesty's representative at Constantinople presents his compliments to His Majesty's Secretary of State for Foreign Affairs and has the honour to transmit herewith copy of a despatch from Lieutenant-General Harington respecting Greek military activity in Thrace.

Constantinople, January 29, 1923.

Enclosure 1 in No. 204.

Lieutenant-General Harington to Mr. Henderson.

Constantinople, January 23, 1923.

Sir,

I HAVE the honour to forward herewith copies of letters I have this day addressed to the Commander-in-chief of the Hellenic forces and the Turkish Governor-General of Thrace respectively, in consequence of the receipt of a lengthy complaint from the latter that the Greek forces west of the Maritza were violating the Mudania Convention.

I have, &c.

C. H. HARINGTON, *Commanding-in-chief, The British Forces in Turkey.*

Enclosure 2 in No. 204

Lieutenant-General Harington to General Pangalos, Commanding-in-chief, Hellenic Troops.

Constantinople, January 23, 1923.

Your Excellency,

I HAVE the honour to inform your Excellency that I have received a letter from his Excellency Refet Pasha, Governor-General of Eastern Thrace, in which he complains that the Hellenic forces are violating the Mudania Convention by their aggressive action on the western bank of the Maritza and are actively preparing the means of crossing the river and invading Eastern Thrace. I have not yet received a reply from Refet Pasha to the letter which I wrote concerning the allegations contained in your letter dated the 21st December, 1922/3rd January, 1923, addressed to the British military representative with your General Headquarters.

I cannot believe it possible that the Hellenic forces can harbour the intention of taking such a step as the invasion of Eastern Thrace, the consequences of which your Excellency is as well aware as myself; but the reports I have received from the commanders of the Allied detachments on the Maritza are somewhat disquieting. The Allied generals fully realise the importance of the active reorganisation of the Hellenic army, both by training, reinforcement and improvement in *moral*, but they must, at the same time, point out the necessity for striking a balance between the need for this reorganisation and that for maintaining the spirit of article 3 of the Mudania Convention.

The task of the Allied detachments west of the Maritza is a difficult one, and can only be successfully performed with the wholehearted co-operation of the two nations in whose interests they are present. The practical expression of this co-operation, a desire for which has been on several occasions expressed by your Excellency's predecessors, whose assurances I have no doubt your Excellency will confirm, lies in systematically refraining from any action which might provoke an incident with the Turks. With this object in view, therefore, the Allied generals request your Excellency to issue such orders as will ensure that the activity of the Hellenic forces in the neighbourhood of the Maritza is restricted to the minimum necessary for the maintenance of law and order, and that such exercises as may be required for training of troops may be carried out at a distance from the river. They would again remind your Excellency that the mission of the Allied detachments included the patrolling of the western bank of the river and the guarding of the western ends of the bridges crossing it, and suggest to your Excellency, therefore, that it is not necessary for the Hellenic forces, whose presence in such close proximity to the river cannot but be provocative to the Turks, to perform this duty together with the Allied detachments, and, therefore, I would request that the Greek posts at present located at the western extremity of the Kuleli Burgas Bridge should be withdrawn.

With regard to the transit of the railway lines between Kuleli Burgas and Svilengrad, as the present arrangements regarding the free circulation of Ottoman railway personnel on the trunk lines are proving most satisfactory, I would now request that these arrangements be made permanent.

Refet Pasha further complains that a number of the Greek troops under your command are wearing British uniform and head-dress. In view of the danger that in these circumstances British troops may be mistaken by the Turks for Greeks, I would request your Excellency to withdraw all Greek troops wearing British uniform and head-dress from the neighbourhood of the river

In addressing your Excellency on this question the Allied generals ask your Excellency to believe that they are animated by the deepest understanding of the difficulties of your Excellency's position and the heartiest desire to assist the work of the delegates of the nations now assembled at Lausanne in assuring that peace which the Hellenic nation must so ardently desire.

I have, &c.

C. H. HARINGTON, *Commanding-in-chief, The Allied Forces of Occupation (Turkey).*

Enclosure 3 in No. 204

Lieutenant-General Harington to General Refet Pasha, Governor-General of Thrace.

Constantinople, January 23, 1923.

Your Excellency,

I HAVE the honour to acknowledge your letters of the 11th and 15th January and to inform you that I immediately caused enquiries to be made by the officers commanding the Allied detachments on the western bank of the Maritza in regard to the incidents mentioned therein. I have now received their reports, which, with your Excellency's letters, have been considered by the Allied generals.

The Allied generals would first of all, however, point out that the word "contact" does not appear in article 3 of the Mudania Convention, the expression used being "complications." Thus, although the Allied detachments endeavour to prevent immediate contact as the best means of avoiding complications, they cannot be charged with neglect of their undertakings if they are not able to ensure a complete separation between the Hellenic forces and the Turkish gendarmerie.

In this connection the Allied generals would point out to your Excellency that the attitude of the Turkish gendarmerie on the eastern bank of the Maritza is not entirely satisfactory.

In regard to the concentration of Hellenic forces and material alleged by your Excellency, certain moves of men and material have undoubtedly taken place. The Allied generals do not consider, however, that these movements, which are connected with the reorganisation which the Hellenic army is naturally undertaking, constitute a menace to the Turkish interests in Eastern Thrace. They cannot conceive that the Hellenic Government would sanction such a course as the invasion of Eastern Thrace, in view of the clearly expressed prohibition of this on the part of the Allied Powers.

With regard to the provocative attitude of the Hellenic forces of which your Excellency complains, the Allied generals have again addressed a letter to his Excellency the Commander-in-chief of the Hellenic Forces requesting him to ensure that his troops will abstain from any acts capable of a provocative interpretation.

The bridging material which the Greeks have collected at points near the western bank of the Maritza do not appear to have serious military value, and it has not been considered necessary so far to place it under Allied supervision.

In order to avoid any further misunderstanding, I should like to recall to your Excellency the fact that, although it is stated in the Mudania Convention that an Allied detachment should be maintained at Karaghach, this in no way presupposes that Greek detachments should not also be located there. It was agreed between the Allied generals that the Greek commander at Karaghach should be authorised to maintain at that place a detachment sufficiently strong to guard his supplies; the strength of this detachment was limited to one battalion which should be under the control of the commander of the French detachment. I cannot understand, therefore, how reports still continue to be circulated in the press and in official Turkish communiqués that the Allies, by their negligence, have tolerated a progressive installation of Greeks at Karaghach. The Greek commander since December last has had full authority to maintain this detachment at Karaghach—a detachment which is located there solely for the purpose of guarding supplies, and I trust that your Excellency will do everything possible to prevent a repetition of such reports in the future.

In regard to the minor points raised in your Excellency's letter, I have been unable to confirm the fact that the baggage of travellers proceeding to Adrianople has been searched by Greek officials. Instructions have, however, been given to ensure that no case of such search should occur in future, and I can assure your Excellency that this shall be rigorously enforced.

With reference to your Excellency's complaint that Greek soldiers were wearing uniforms similar to those of the British, I am requesting General Pangalos to withdraw from the neighbourhood of the Maritza all Greek personnel equipped with the British uniform and head-dress. I would point out to your Excellency that all khaki-coloured uniforms are of a very similar appearance at a distance, and that British uniforms are now being worn in the Turkish army as well as in the Greek. As long as a distinction in the head-dress can be maintained, however, as I hope it now will be in the case of the Greeks, I do not think confusion should arise. I am unable to confirm that British badges are being worn.

In conclusion, the Allied generals would assure your Excellency of their understanding of your Excellency's difficult task and of their willingness to assist your Excellency in every way possible.

I have, &c.

C. H. HARINGTON, *Commanding-in-chief,*
The Allied Forces in Turkey (Constantinople).

[E 1392/1/44] No. 205.

M. Venizelos to the Marquess Curzon of Kedleston.—(Communicated by British Delegation (No. 123); Received in Foreign Office, February 5.)

Délégation hellénique.
Lausanne, le 29 janvier 1923.

M. le Président,

LA délégation hellénique à la Conférence de Lausanne a l'honneur d'exprimer ses remerciements aux délégations des trois Puissances invitantes pour la communication du projet de Traité de Paix et des documents annexes, qui lui a été faite hier soir.

Elle se permet de présenter à ce sujet les remarques suivantes :

1. *Zones démilitarisées.*

La Grèce avait déclaré accepter la fixation de ses frontières avec la Turquie, comme elles étaient tracées par le Traité de Sophia du 26 septembre 1915 entre la Bulgarie et la Turquie, dans leur partie longeant la Maritza. Comme cependant, par l'article 2 du chapitre des "Clauses territoriales" du présent traité, il y a une modification de cette frontière, qui laisse à la Turquie "la station à laquelle aboutit actuellement l'embranchement du chemin de fer spécialement construit pour desservir la ville d'Andrinople," voir un point situé sur la rive droite de la Maritza, la délégation hellénique a l'honneur de remarquer, en y attirant la sérieuse attention des délégations des Puissances invitantes, que la question des zones démilitarisées, établies à l'est et à l'ouest de la Maritza, en vertu du "projet de convention concernant les frontières de Thrace," prend de ce chef un aspect nouveau. En effet, la Grèce, acceptant l'étendue respective des zones démilitarisées en question, avait en vue que la Turquie n'étant pas établie sur la rive droite de la Maritza, il lui serait facile de prévenir une agression éventuelle de la part des forces turques, par la destruction du pont reliant les deux rives de ce fleuve en cet endroit. Mais du moment qu'il est permis à la Turquie de s'établir sur la rive droite de la Maritza, la délimitation actuelle des zones démilitarisées, établies par la convention susmentionnée, met la Grèce dans une situation d'infériorité marquée. La délégation hellénique insiste donc que les zones démilitarisées soient fixées de manière à égaliser la situation respective des deux pays ou par une restriction de la zone démilitarisée grecque, à l'est de la Maritza, ou bien par une extension de la zone démilitarisée turque, à l'ouest de cette rivière.

2. *Iles.*

La délégation hellénique regrette vivement de voir que, par l'article 11 du traité, les îles d'Imbros et de Ténédos demeurent sous la souveraineté turque. Elle a déjà, à plusieurs reprises, exposé devant la conférence les raisons militant pour le transfert de ces îles à la souveraineté grecque. La Grèce occupe les îles en question depuis dix ans. Leur population est essentiellement, et pour Imbros exclusivement, grecque. D'autre part, la démilitarisation complète de ces deux îles leur fait perdre tout caractère de menace pour les Détroits.

La délégation hellénique serait heureuse que la clause du projet de traité concernant les îles soit modifiée dans ce sens. Si cependant les Puissances invitantes ne considéraient pas possible de faire droit à cette juste demande de la délégation

hellénique et croyaient devoir conserver la souveraineté de ces îles à la Turquie, il est indispensable que les garanties d'administration spéciale octroyées, par l'article 14 du projet de Traité de Paix, à la population grecque d'Imbros et de Ténédos, soient complétées par l'exemption de cette population du service militaire. Sans une pareille garantie, il est à craindre que les habitants de ces deux îles ne soient forcés de partir pour se soustraire à cette obligation, devenue un instrument d'oppression contre les populations chrétiennes, restées en Turquie, et ces autres garanties assurées à ces populations redeviennent ainsi illusoires.

3. *Dodécanèse.*

La délégation hellénique n'a pas d'objection à formuler contre l'article 15 du projet de traité, en vertu duquel la Turquie s'engage à renoncer en faveur de l'Italie à tous ses droits et titres sur les îles du Dodécanèse, énumérés dans cet article. Elle considère la procédure suivie comme juste. Elle fait rappeler cependant qu'un traité non ratifié entre l'Italie et la Grèce, sur la question de l'attribution définitive de ces îles, existe et elle réserve le droit du Gouvernement grec, une fois la Turquie s'étant désistée de ses droits sur ces îles, d'engager dans un esprit amical les conversations nécessaires pour la détermination de leur sort. Le Gouvernement hellénique, faisant cette réserve, compte sur l'esprit de justice et d'équité de tous et surtout du Gouvernement italien pour donner à la question des îles du Dodécanèse une solution conforme au principe des nationalités et aux engagements déjà intervenus.

4. *Amnistie.*

La délégation hellénique par sa lettre en date du 27 janvier 1923, adressée aux délégations des Puissances invitantes, a eu l'honneur d'exposer à celles-ci le point de vue du Gouvernement hellénique sur la question de l'inclusion dans la déclaration d'amnistie des délits se rapportant à la conduite militaire des habitants non musulmans de Grèce. Comme la délégation hellénique a eu l'honneur de l'exposer par cette lettre, le Gouvernement grec se trouve dans l'impossibilité de donner une amnistie pour les crimes et délits d'ordre militaire, si ce n'est pour ceux commis par des musulmans.

La délégation hellénique considérant inutile de répéter les arguments, déjà exposés dans sa lettre précitée, renouvelle la déclaration du Gouvernement hellénique et a l'honneur de demander, en conséquence, une modification de l'article 1er du "Projet de Déclaration relative à l'Amnistie" à annexer au Traité de Paix dans le sens indiqué dans cette lettre.

Veuillez agréer, &c.

E. K. VENISELOS.

[C 2349/58/7] No. 206.

The Marquess Curzon of Kedleston to Mr. Lindsay.—(Received February 5.)

(No. 118.)

Sir,

Lausanne, February 2, 1923.

THE presence at Lausanne of the Bulgarian and the Greek delegations has furnished a convenient opportunity of examining whether the provisions contained in the treaty between the Allied and Associated Powers and Greece, relative to Western Thrace, which was signed at Sèvres on the 10th August, 1920, could be amplified in such a way as to render them more acceptable to the Bulgarian Government, and to absolve the Allied Governments from the reproach of having evaded the promise given by them under article 48 of the Treaty of Neuilly to secure to Bulgaria an economic outlet to the Ægean Sea.

2. It has often been suspected that the insistence by Bulgaria upon this outlet was inspired by political rather than by economic considerations, and I have myself always realised that the natural economic outlet for Bulgaria was neither at the port of Dedeagatch nor at that of Kavala, but rather through the main artery connecting Salonica with the Western Balkans. My original impressions in regard to this question have now been fully confirmed.

3. At an earlier stage of the present conference an opportunity was given to Bulgaria to state the reasons for which, and the limits within which, it was necessary for her to obtain an economic outlet to the Ægean Sea. The general trend of the arguments thereupon presented by the delegation, and subsequently reinforced by the

statements made by their experts in sub-commission, was that the port of Dedeagatch was, owing to its physical and geographical disabilities, wholly unsuitable for a commercial harbour, and that the ideal site for a Bulgarian port was at a point some 6 kilom. to the west of Dedeagatch and in the vicinity of Makry. Great stress was also laid by the Bulgarian delegation on the fact that it would not be possible for Bulgaria to construct a port either at Dedeagatch or even at the point which they had themselves indicated unless the administration of the port was placed entirely in Bulgarian hands.

4. In order to test the sincerity of the Bulgarian claim, I asked M. Venizelos confidentially whether he, for his part, would be prepared to meet the Bulgarian wishes as explained to the conference. He readily assented, and the French and British experts thereupon produced a series of articles by which Bulgaria was to be given full possession of the site which they had themselves demanded, and all possible provision was to be made to secure effective Bulgarian administration of the harbour. Moreover, the railway connecting this Bulgarian port with Bulgaria proper was to be placed under the control of an international commission, who would have full powers to guarantee free and rapid transit between this Bulgarian outlet and the markets of Bulgaria. This project was communicated unofficially to the Bulgarian delegation, who at once despatched their commercial expert to Sofia to obtain the views of the Bulgarian Government. It was at the same time explained to the Bulgarian delegation that the proposals were not to be considered in any sense as a final draft, but that it was useless for the Allied delegations to expend further trouble upon the detailed elaboration of the necessary clauses unless they were first assured that the principle of the whole scheme would be accepted by the Bulgarian Government.

5. The Bulgarian expert, who had been despatched to Sofia, returned within a few weeks with the news that his Government were unable to accept the proposal. In order to regularise the situation, the sub-commission of the First Commission was therefore summoned for the purpose of communicating officially to the Bulgarian Government the offer of the Allies, and of informing them that unless they accepted it the offer would be withdrawn. The Bulgarian delegation again rejected the project, and this rejection was recorded in the *procès-verbal* of the meeting, a copy of which is enclosed herein. M. Venizelos himself, at the final meeting of the sub commission, pointed out to the Bulgarian delegation that the natural economic outlet of Bulgaria was at Salonica, and that he made a formal and public offer to guarantee to Bulgarian commerce the same privileges and rights at that port as were accorded to Jugoslavia under his treaty with that country. This generous offer was also rejected by the Bulgarian delegation.

6. I have thought it well to record the above proceedings because they demonstrate finally that the desire of Bulgaria to obtain an outlet to the Ægean Sea is inspired solely by political and territorial ambitions and has no relation to their economic needs.

7. It is evident that nothing further can be gained by pursuing the negotiations which have been conducted between Bulgaria and the Principal Powers. If Greece decides that it will be to her interest to negotiate directly with Bulgaria, she will, as soon as she obtains legal possession of Western Thrace, be at liberty to do so. All that the Principal Powers can do for the moment is to ratify the previous treaty concluded on the 10th August, 1920, and I have reason to hope that the obstructive attitude adopted by the Bulgarian delegation in the face of the very generous offers which have here been made to them will have convinced the French Government that such ratification must now be proceeded with.

I am, &c.
(For the Marquess Curzon of Kedleston),
HORACE RUMBOLD

Enclosure 1 in No. 206.

Dedeagatch Sub-Sub Commission, January 26, 1923.

M. DIAMANDY declared the meeting open at 3·45 P.M., and asked the Bulgarian delegates to give their views on the Allied proposals for Bulgarian access to the Ægean.

M. STANCIOF read a statement (Annex (A)).

M. THEODOROF read a further statement (Annex (B)).

M. VENIZELOS could only repeat what he had frequently said at the Conference of Paris and elsewhere. Bulgaria could always obtain access to the Ægean viâ Salonica. When Dedeagatch was under Bulgarian sovereignty, nothing had been done to improve the port. Greece always gave to neighbouring States all facilities for the use of her ports, and was now ready to give all necessary guarantees for the use by Bulgaria of the port of Salonica. He felt that the Bulgarians should be satisfied with this, seeing that under the circumstances it seemed ridiculous to spend millions on creating a port at Dedeagatch when Salonica was available with all modern equipment. Access to the Ægean viâ Salonica would not only be cheaper, but also of more practical value for Bulgaria.

M. NOGARA understood the Bulgarian delegates to have formulated three objections namely, that the sovereignty over the corridor territory remained Greek, that the railway was not a Bulgarian company and that Bulgaria could not organise the traffic to Dedeagatch on account of these two obstacles. He wished to assure the Bulgarian delegates that the Allied experts had made a great effort towards conciliation. M. Venizelos had already said that his Government were ready to negotiate with Bulgaria in the matter of giving facilities enabling the latter country to obtain access to the Ægean. As regards the railway, surely the Bulgarians could buy a controlling interest in the company and so assure themselves of its proper working. Again, Bulgarian oversea traffic could go viâ Varna or Bourgas until Bulgaria was financially able to undertake the creation of a port at Dedeagatch. He felt that the Bulgarian delegates were wrong in refusing categorically to accept the Allied proposals.

M. VENIZELOS interposed that his Government were ready to negotiate direct with Bulgaria in the matter of Bulgarian oversea traffic travelling viâ Salonica.

MR. NICOLSON thought that the Bulgarian point of view was sufficiently taken into consideration by being recorded in the *procès-verbal*. He asked whether the Allied project was accepted in principle by the Bulgarian delegates; if not, there was no point in continuing the discussions.

M. BARGETON agreed.

As the Bulgarian delegates would not reconsider their attitude, M. DIAMANDY said that their reservation would be recorded in the *procès-verbal*. He added that he had thought that they would have been satisfied with the Allied proposals.

He declared the session at an end at 4 P.M.

Annex (A) to Enclosure 1.

SOUS-COMMISSION : CONFÉRENCE DE LAUSANNE, LE 26 JANVIER 1923.

Question : Débouché Bulgarie mer Egée.

REMISE PROJET DE CONVENTION PAR LES EXPERTS ALLIÉS À LA DÉLÉGATION BULGARE

Déclaration de M. Stanciof, Délégué de Bulgarie.

LA question que nous traitons aujourd'hui nous est à tous amplement connue.

Nous avons devant nous le projet dans lequel les Puissances invitantes ont bien voulu nous exposer les conditions qui pourraient assurer à la Bulgarie " les débouchés économiques à la mer Egée."

Sans entrer dans une analyse détaillée de ce projet, je voudrais seulement observer que nous nous trouvons devant deux principes différant en substance

Les deux premiers articles nous traitent en "emphytéotes," preneurs d'un bail Je ne tiens pas même à parler de l'étendue du territoire. Je ne citerai pas les détails de l'article 2, où seule l'administration est transférée à la Bulgarie.

(En passant, je mentionnerai à titre d'analogie que l'article 69 de l'ancien Traité de Sèvres transférait à la Grèce l'exercice des droits de souveraineté pour Smyrne.)

Je passe à l'article 3, qui, en parlant de la législation, néglige la juridiction, et l'alinéa 3 du même article, qui exigerait des listes nominatives des fonctionnaires

Je ne m'arrêterai non plus à l'article 4, qui introduit une surveillance de l'Administration bulgare par la Commission internationale, ce qui détruirait tous les effets de la liberté d'action découlant pour la Bulgarie des articles 2 et 3

Je reviens au principe : cession à bail de l'article 1er et aux articles 10 à 12, qui rejettent implicitement nos demandes motivées relativement à la question de notre débouché à la mer Egée.

MM. les experts, vous nous avez fait entendre qu'une discussion des principes contenus dans le projet qui nous occupe serait inopportune.

Vous avez eu la patience d'écouter nos explications motivées ; je ne les répéterai donc pas, d'autant moins que depuis 1920 elles sont connues à toutes les chancelleries.

Je laisse à mon collègue le soin de vous présenter le point de vue de notre délégation et de notre Gouvernement.

Si une remarque personnelle était de mise, je dirais que je suis sous la triste impression que l'article 48 du Traité de Neuilly me paraît condamné à subir le même sort—stérile—que l'article 23 du Traité de Berlin.

Annex (B) to Enclosure 1

Déclaration de la Délégation bulgare devant la Sous-Commission. Question du Débouché à la mer Egée. Séance du 26 janvier 1923

LA délégation bulgare remercie chaleureusement MM les experts qui furent chargés d'étudier la possibilité de notre accès à la mer Egée. Nous reconnaissons leurs efforts loyaux de trouver une solution dans les limites qui leur furent fixées par les Gouvernements alliés. Et si cette solution nous semble, malgré tout, inacceptable, c'est que l'attribution éventuelle de la Thrace occidentale à la Grèce rendrait d'avance notre accès à la mer impossible.

En cette époque de grandes luttes menées par toutes les nations dans un but de concurrence et de suprématie commerciales, les divers Etats s'efforcent de créer, sur leurs territoires respectifs, toutes les conditions requises pour attirer et exploiter le trafic des pays étrangers et, en particulier, des pays voisins.

La Commission des Experts, placée devant le fait évident qu'il ne serait guère possible aux Grecs ou à une autre organisation internationale d'effectuer à Dédéagatch ou dans ses environs les travaux indispensables d'un port de façon à avantager le trafic maritime de la Bulgarie, sans imposer des taxes de port énormes qui entraveraient le trafic de la manière la plus nuisible au développement économique du pays, concède à la Bulgarie, à titre de grande faveur, la construction sur une zone enclavée en plein territoire étranger, d'un port international détaché de la Bulgarie et accessible, à travers le territoire grec, par un chemin de fer étranger

Une pareille combinaison n'a jamais donné des résultats pratiques et n'a jamais été appliquée avec succès dans aucune partie du monde. Nous déclarons une fois de plus que la Bulgarie se trouve, plus que tout autre Etat, dans l'impossibilité absolue de pouvoir profiter d'un semblable arrangement.

La délégation bulgare est chargée par son Gouvernement de le dire de la façon la plus catégorique. Elle prie le président de la sous-commission de vouloir bien transmettre cette déclaration au président de la première Commission ainsi qu'aux présidents des différentes délégations représentées à la conférence, avec ses remerciements pour l'intérêt qu'ils ont bien voulu porter à la question de l'issue de la Bulgarie à la mer libre.

Enclosure 2 in No. 206.

Draft Convention.

LES hautes parties contractantes, désireuses d'assurer à la Bulgarie les débouchés économiques à la mer Egée prévus par l'article 48 du Traité de Neuilly, et considérant que le port de Dédéagatch ne se prête pas à la construction d'un port répondant aux besoins du commerce bulgare, . . .

ARTICLE 1.

La Grèce s'engage à céder à bail à la Bulgarie pour une durée de 99 ans sur la côte de la mer Egée entre Dédéagatch et Makri un territoire d'une longueur de 3 kilom. le long de la côte et de 1 kilom. de profondeur.

L'emplacement et la délimitation dudit territoire seront déterminés d'un commun accord par les Gouvernements hellénique et bulgare, et, à défaut d'entente entre les deux Gouvernements, par un arbitre désigné par le Conseil de la Société des Nations.

ARTICLE 2.

En tout ce qui concerne l'administration, ce territoire sera considéré comme territoire bulgare. Le Gouvernement bulgare s'engage à ne pas utiliser pour des fins militaires ou navales ledit territoire, ni le port qui y serait construit.

ARTICLE 3.

Le territoire cédé dans les conditions prévues à l'article 1er sera administré par la Bulgarie et soumis à sa législation, les fonctionnaires et employés seront de nationalité bulgare et nommés par le Gouvernement bulgare. Le Gouvernement bulgare adressera tous les six mois au Gouvernement hellénique une liste nominative de ces fonctionnaires et employés avec mention de leurs fonctions respectives.

ARTICLE 4.

Le maintien de l'ordre et l'administration du territoire visé à l'article 3 seront assurés par une autorité bulgare, qui exercera ses fonctions sous la surveillance de la commission prévue à l'article 10.

ARTICLE 5.

Les terrains compris dans le territoire visé à l'article 1er seront cédés gratuitement à bail à la Bulgarie, s'ils sont la propriété de l'Etat hellénique. Les terrains qui seraient propriété privée seront, avant remise du territoire à la Bulgarie, expropriés par le Gouvernement hellénique moyennant une indemnité à verser par la Bulgarie et dont le montant sera fixé par un arbitre choisi d'un commun accord entre les Gouvernements bulgare et grec et les propriétaires. A défaut d'accord sur ce choix, l'arbitre sera désigné par la commission prévue à l'article 10.

ARTICLE 6.

Les travaux de construction du port ainsi que des aménagements qui pourraient être nécessaires seront exécutés sous la direction et aux frais du Gouvernement bulgare auquel le Gouvernement hellénique transfère à cet effet tous ses droits de concession.

ARTICLE 7.

Le Gouvernement hellénique convient de n'entreprendre aucun travail de nature à compromettre les accès ou les facilités d'utilisation du port dont la construction est prévue sur le territoire visé à l'article 1er.

ARTICLE 8.

Le Gouvernement bulgare aura le droit de percevoir, soit directement par ses propres agents, soit par l'entremise de sociétés concessionnaires, et dans les limites des traités de commerce en vigueur entre la Bulgarie et les autres Puissances, des taxes de port et autres droits sur le territoire visé à l'article 1er sous réserve du prélèvement par la commission internationale visée à l'article 10 de la part de ces droits qui serait nécessaire pour faire face aux dépenses de ladite commission. Le montant de ce prélèvement sera périodiquement fixé par la commission visée à l'article 10.

ARTICLE 9.

Le port qui serait éventuellement construit sur le territoire visé à l'article 1er est déclaré port franc et d'intérêt international, et la Bulgarie convient de lui appliquer la recommandation relative aux ports de cette nature, telle qu'elle a été adoptée par la conférence tenue à Barcelone du 10 mars au 20 avril 1921.

ARTICLE 10.

En vue d'assurer le libre transit des marchandises et passagers entre la Bulgarie et le territoire visé à l'article 1er et dans les trois mois de l'entrée en vigueur de la présente convention, il sera constitué une commission internationale composée de représentants nommés par les Gouvernements de l'Empire britannique, de la Bulgarie, de la France, de la Grèce, de l'Italie, de la Roumanie, de l'Etat serbe-croate-slovène et de la Turquie. Chaque Puissance aura un délégué. Le siège de la commission sera choisi par la commission elle-même. Le budget de la commission sera alimenté, comme il est dit à l'article 8. La commission établira elle-même son règlement

ARTICLE 11.

La présidence de la commission sera annuelle et exercée successivement suivant l'ordre alphabétique par les représentants de l'Empire britannique, de la France et de l'Italie. Le président, pour la première année, sera désigné par la voix du sort.

Les décisions seront prises à la majorité des voix, la voix du président étant prépondérante en cas de partage.

ARTICLE 12.

Le Gouvernement hellénique délègue à la commission prévue à l'article 10 tous les droits et obligations qu'il peut avoir concernant la surveillance de l'exploitation, le contrôle et la police du chemin de fer reliant la frontière bulgare au territoire visé à l'article 1er.

Dans les trains et les gares, la police sera assurée exclusivement par les agents de la commission d'accord avec la compagnie du chemin de fer.

Sous réserve des dispositions de l'article 3, il ne sera fait aucune distinction entre les différentes nationalités pour le recrutement du personnel de la commission et du chemin de fer.

ARTICLE 13.

La Compagnie des Chemins de Fer orientaux est maintenue dans les droits et obligations qu'elle avait au 1er août 1914. Dans le délai d'un an à dater de la mise en vigueur de la présente convention, elle aura le droit de demander la réadaptation de son contrat aux conditions économiques nouvelles. A défaut d'accord direct entre elle et le Gouvernement hellénique, les conditions de cette réadaptation seront fixées par voie d'arbitrage, conformément à la procédure ci-après.

Un arbitre sera désigné par la compagnie concessionnaire, un second arbitre sera désigné par le Gouvernement hellénique. Le troisième arbitre sera, à défaut d'accord entre les intéressés, désigné par le Conseil de la Société des Nations.

ARTICLE 14.

Les personnes, marchandises, services postaux, navires, bateaux, voitures, wagons et autres moyens de transport en provenance ou à destination du territoire visé à l'article 1er et traversant le territoire hellénique seront réputés en transit à travers la Grèce s'ils sont à destination ou en provenance d'un autre Etat quelconque.

La Grèce s'engage, en ce qui concerne ce transit, à appliquer les dispositions de la convention et du statut relatifs à la liberté de transit signés à Barcelone le 20 avril 1921.

ARTICLE 15.

Tous différends qui viendraient à s'élever relativement à l'interprétation ou à l'application des articles de la présente convention seront réglés dans les conditions fixées par le Pacte de la Société des Nations.

ARTICLE 16.

Jusqu'à la construction par le Gouvernement bulgare dans le territoire visé à l'article 1er d'un port répondant aux besoins du commerce et d'un raccordement de ce port aux voies ferrées existantes, le Gouvernement hellénique s'engage à assurer au Gouvernement bulgare dans le port de Dédéagatch toutes les facilités prévues à l'annexe ci-jointe du présent traité

Annexe.

[Reproduire les articles 4 à 16 du traité relatif à la Thrace signé à Sèvres le 10 août 1920

E 1554 1 144

The Marquess of Crewe to the Marquess Curzon of Kedleston.—(Received February 5.)

(No. 280.)

HIS Majesty's representative at Paris presents his compliments to His Majesty's Secretary of State for Foreign Affairs, and has the honour to transmit herewith copy of a memorandum which it is proposed to address to M. Poincaré, protesting against his note of the 30th January to Angora.

Paris, February 3, 1923.

Enclosure in No. 207.

Memorandum.

ON the 30th January a report appeared in the "Temps" that a communication had been sent by M. Poincaré to Angora intimating that the French Government regarded the treaty then on the eve of presentation to the Turks, not as the definitive offer of the Allied Governments and as representing the maximum of concession to which they were prepared to go, but merely as a basis of discussion; the French Government would not refuse to make such further concessions as seemed reasonable, and were prepared to leave their delegation at Lausanne or to renew negotiations elsewhere. The report added that this message had been communicated to London, Lausanne and Rome as well as to Angora. In spite of the fact that it was accepted as authentic in the various comments to which it gave rise in the French press, credit was not at first attached to it by His Majesty's Government. On the 1st February a communiqué issued by the Havas Agency was published in the French newspapers, including the "Temps," contradicting the report, and pointing out that M. Poincaré's telegram had, on the contrary, been designed to urge the signature of the draft treaty by the Turks. Nevertheless, the original reports have been reiterated in the Paris press of the 3rd February, more than one organ of which contains a statement that on the 29th January instructions were sent to General Pellé to inform the Government of Angora that the draft treaty was not an ultimatum, that France would not consider an adjournment of the conference as a rupture and would not refuse further conversations, either at Lausanne or elsewhere. It would perhaps still have remained unnecessary to give complete credence to these newspaper reports, were it not for two facts. In the first place, the French delegate at Lausanne informed Lord Curzon on the 30th January that Ismet Pasha had declared his inability to accept the treaty to be formally presented to him on the morrow, and of his intention of asking for eight days' delay for discussion before returning a reply. M. Bompard urged Lord Curzon to abandon the plan formally agreed on and to remain for a further period at Lausanne. In the second place, His Majesty's Acting High Commissioner at Constantinople has been informed by the French High Commissioner of a communication made by the latter to Adnan Bey on instructions from the Government of the Republic. This communication was to the effect that the French Government did not regard the draft treaty as an ultimatum, that they were prepared to discuss modifications, and that for the sake of the maintenance of peace they had instructed their delegate at Lausanne to remain in touch with the Turkish representatives.

For these reasons it is impossible for His Majesty's Government to draw any conclusion other than that the French Government have officially intimated to the Government of Angora their willingness to depart from the procedure agreed upon with the delegations of the Allies at Lausanne in regard to the presentation of the draft treaty, and that as distinct from their Allies they are prepared to discuss modifications in this treaty.

His Majesty's Government find it impossible to pass over in silence the action of the French Government, which they cannot but regard as calculated to undermine the joint efforts of the Allies and to jeopardise the prospects of the treaty elaborated during the past months at Lausanne. The responsibility for such a disaster and for its inevitable reaction on relations between France and Great Britain would rest entirely with the French Government

In these circumstances His Majesty's Government feel that they would be failing in their duty to the cause of the *Entente* if they delayed in approaching the French Government in the matter.

His Majesty's Ambassador has therefore received instructions to approach the French Government with a request for a full explanation of the reasons leading to the despatch of the instructions outlined above to the French High Commissioner at Constantinople.

Paris, February 3, 1923.

[E 1386 1/44] No. 208.

The Marquess of Crewe to the Marquess Curzon of Kedleston. (*Received February* 5.)

(No. 284.)

My Lord. *Paris, February* 4, 1923.

WITH reference to my despatch No. 280 of the 3rd February, enclosing a copy of a memorandum handed by me yesterday to the President of the Council in regard to the French attitude to the draft Lausanne Treaty, I have the honour to transmit to your Lordship a copy of the reply which I received this evening from M. Poincaré.

I regret that this reply has reached me at too late an hour to enable me to furnish any comments upon it before this evening's bag is despatched.

I have, &c.

CREWE.

Enclosure in No. 208.

Memorandum.

PAR un mémorandum en date du 3 de ce mois, l'Ambassadeur de Sa Majesté britannique a fait savoir au Ministère des Affaires étrangères qu'il avait reçu pour instructions de soumettre en détail des raisons qui avaient amené le Gouvernement de la République à prescrire à son Haut-Commissaire à Constantinople une démarche auprès d'Adnan Bey à l'effet de déclarer que le projet de traité à remettre à la délégation turque ne serait point un ultimatum, que la délégation française serait disposée à discuter des modifications à ce projet, et qu'en vue du maintien de la paix, elle resterait à Lausanne en contact avec les représentants turcs.

Il convient d'abord de rétablir exactement les termes de la communication verbale que le Général Pellé a été chargé de faire à Adnan Bey. Le Gouvernement français n'a point fait connaître ces termes à la presse et il ne peut accepter qu'on lui attribue les renseignements inexacts donnés par certains journaux. Il n'y a pas en France de journaux officieux. Le Gouvernement français n'impute pas au Gouvernement anglais la responsabilité de certaines critiques déplacées et même inconvenantes que la presse anglaise adresse, en ce moment, à la France. Il demande au Gouvernement anglais de ne pas lui prêter à lui-même l'inspiration des articles qui peuvent paraître dans la presse française.

En réalité, les faits sont les suivants : le Gouvernement français a toujours fait savoir au Gouvernement britannique qu'il n'était pas d'avis de remettre un ultimatum aux Turcs et qu'il craignait qu'une telle procédure n'amenât la rupture de la Conférence de Lausanne.

C'est ce que M. Bompard a indiqué lui-même à Lord Curzon à plusieurs reprises.

Pour prévenir tout malentendu et pour éviter un départ précipité de la délégation turque, le Général Pellé a simplement informé Adnan Bey que le texte à remettre à Ismet Pacha pouvait être examiné par le Gouvernement turc et que celui-ci restait admis à présenter des contre-propositions ; le Général Pellé n'a pas dit que le Gouvernement français serait disposé à faire de nouvelles concessions. Il a expliqué que les négociations ne seraient pas forcément rompues par une demande de discussion raisonnable et que les négociations pourraient continuer à Lausanne même. En faisant cette démarche à la demande du Ministère des Affaires étrangères français, le Général Pellé a simplement cherché à empêcher le départ précipité des Turcs et la brusque reprise des hostilités.

Il convient de rappeler, pour éclairer les intentions du Gouvernement français, que, le 26 janvier, à la demande du Général Pellé, qui avait télégraphié qu'une intervention directe du Gouvernement français pourrait avoir, en dehors des pourparlers de Lausanne, un heureux effet sur les dispositions du Gouvernement turc, M. Poincaré avait adressé à Mustapha Kémal un télégramme lui conseillant de répondre à l'esprit conciliant des Alliés par une égale conciliation en consentant de légères concessions qui permettraient l'heureuse et prochaine conclusion de la paix à Lausanne. Faisant appel à Mustapha Kémal, le Président du Conseil français l'adjurait d'user de son influence pour convaincre la grande Assemblée nationale qu'elle devait accepter les stipulations si modérées qui lui seraient présentées par les Alliés. En réponse, Mustapha Kémal promit son concours, mais il se plaignit que la délégation française soutint, le plus souvent, des points de vue contraires à ceux de la délégation turque.

En commentant cette réponse au Général Pellé, Adnan Bey lui déclare que le point essentiel était d'éviter que la communication du traité eût le caractère d'un ultimatum plus ou moins déguisé. Il ajouta que si les délégations alliées se montraient disposées à ajourner leur départ pour attendre la réponse turque, si elles se prêtaient à des échanges de vues, on pourrait encore aboutir à une entente ; par contre, si on plaçait la délégation turque dans l'obligation d'accepter purement et simplement le texte remis, la grande Assemblée se cabrerait certainement devant cette injonction

En même temps, à Angora, Raouf Bey, après avoir énuméré les points sur lesquels la Turquie ne céderait pas, disait au Colonel Mougin, en constatant qu'il attendait de France un message plus rassurant, son ferme espoir que M. Poincaré pourrait encore changer la ligne de conduite suivie par les délégations alliées, qui mettaient en péril la paix du monde.

Ces indications si précises et non concertées marquaient nettement que la crainte la plus vive du Gouvernement turc était de voir la communication du projet de traité à la délégation turque prendre la forme d'un ultimatum.

Les assurances données par le Général Pellé, sur les instructions de Paris, eurent un effet pleinement satisfaisant, puisque la note suivante fut, à Constantinople, communiquée aux journaux par les autorités turques :

> "Le Général Pellé s'est rendu chez le Dr. Adnan Bey et lui a donné des assurances comme quoi le projet des Puissances n'impliquait pas la rupture des pourparlers. Toute éventualité d'une reprise des hostilités doit être écartée."

Le Général Pellé constatait que cette note avait produit une grande détente dans les milieux turcs. Il avait d'ailleurs fait part à ses collègues alliés de sa communication à Adnan Bey et ceux-ci n'avaient présenté aucune observation.

La communication faite à Adnan Bey avait donc eu un effet très favorable à la cause des Alliés. Elle n'aliénait sur aucun point leur liberté. Elle était, d'autre part, absolument conforme aux intentions que le Président du Conseil avait fait connaître à Lord Curzon dans les diverses réunions de Paris depuis le mois de mars 1922 : elle était également conforme aux instructions formelles données à plusieurs reprises à la délégation française à Lausanne.

Dès le 22 novembre 1922, le Gouvernement français prescrivait à M. Barrère et à M. Bompard d'éviter avant tout que les délégués turcs eussent l'impression de se trouver en présence de décisions préalablement arrêtées et qu'on tenterait de leur imposer. Le 19 janvier 1923, il confirmait ces instructions et précisait que, contrairement aux dispositions manifestées par Lord Curzon, il ne devait être en aucun cas remis aux Turcs en séance publique un traité qu'ils seraient purement et simplement invités à signer. Il était indispensable qu'au préalable, toutes les clauses leur eussent été communiquées et qu'ils eussent pu les discuter. Ce document devrait être étudié et examiné par eux avant le débat public. Les Turcs interpréteraient certainement une remise solennelle en séance publique comme ayant un caractère d'ultimatum et une rupture définitive risquerait de s'ensuivre.

Lord Curzon n'ignorait pas la position prise par le Gouvernement français depuis le début. Le 19 janvier, M. Poincaré lui faisait remettre par M. Bompard une lettre personnelle, où il lui disait :

> "J'ai appris avec grand plaisir que, sur toutes les questions essentielles, l'accord que nous avions établi, vous et moi, entre le Gouvernement britannique et le Gouvernement français, se maintenait à la conférence et j'espère que nous réussirons à le sauvegarder jusqu'au bout dans l'intérêt de la paix. M. Bompard vous exposera le point de vue du Gouvernement français" . . . .

Lord Curzon l'ignorait si peu, après ses longues conversations avec M. Bompard, et avec le Marquis Garroni, qu'il modifia la procédure qu'il aurait d'abord voulu voir suivre aux Turcs. Son plan primitif consistait à réunir la conférence en séance plénière, et à se présider, et à dicter aux Turcs une sévère admonestation. C'était la procédure comminatoire qui avait déjà failli donner de fâcheux résultats et qu'il avait fallu abandonner après l'avoir essayée. Lord Curzon transigea et accepta de tenir, successivement et sans désemparer, une réunion des trois commissions, chacune sous la présidence de son président propre. Les trois présidents, chacun à leur tour, résumeraient les travaux de leurs commissions respectives et commenteraient les textes y afférents du projet remis aux Turcs. Après quoi, on se séparerait, laissant aux Turcs le temps de la réflexion et se tenant à leur disposition pour les entendre au reçu des instructions d'Angora. Il fut ainsi procédé. La veille de la séance du 31 janvier M. Bompard déclarait à Lord Curzon qu'en toute hypothèse, le Gouvernement français était opposé à une rupture de la conférence. Lord Curzon lui répondit qu'il était dans les mêmes dispositions.

Les assurances données par le Général Pellé à Adnan Bey étaient si conformes aux intentions de nos alliés et aux engagements réciproques qu'ils avaient pris que, le 3 février, Lord Curzon, le Marquis Garroni et M. Bompard, allant beaucoup plus loin que le Général Pellé, qui n'avait point parlé de concessions nouvelles, ont, d'un commun accord, communiqué à Ismet Pacha les *concessions* que les trois délégations étaient disposées à faire sur le projet du traité qui lui avait été soumis le lundi précédent. Les trois délégués alliés insistèrent auprès d'Ismet Pacha pour qu'il se raillât au texte ainsi *amendé* et le signât le 4 ; Lord Curzon avait donc accepté [illegible] ni d'un texte définitif ; il accepta même de faire des concessions nouvelles, dont, contrairement à des informations de presse, le Gouvernement français s'était gardé de parler au Gouvernement turc ; il accepta également de prolonger son séjour à Lausanne après la remise du texte à Ismet Pacha, bien que le délégué turc eût demandé un délai pour l'examiner. Ainsi l'on peut se demander pourquoi la délégation britannique ne s'était pas associée aux déclarations du Général Pellé puisqu'elles se sont trouvées conformes à l'attitude du premier Secrétaire d'État de Sa Majesté. Loin que ces déclarations aient été nuisibles, elles ont permis la prolongation des pourparlers et elles n'ont aucunement affaibli la situation des Alliés, qui sont restés unis dans les propositions qu'ils ont en dernier lieu présentées à la délégation turque. Elles n'ont pas été davantage un obstacle à ce que, comme l'a su Lord Curzon, Ismet Pacha reçût d'Angora l'instruction de signer.

Le Gouvernement français a donc pleinement conscience d'être resté fidèle à ses engagements, de n'avoir pas varié dans sa ligne de conduite bien comme Lord Curzon a dû s'en féliciter lui-même, puisque cette ligne dépendait de lui en faveur de la paix.

Il ne peut par suite admettre les termes aussi injustes que peu courtois de la note qu'il a reçue. Quand a-t-il manifesté aux Turcs la volonté de se départir de la procédure convenue avec ses alliés ? Quand a-t-il laissé croire qu'il accepterait de remettre un ultimatum aux Turcs ? Quand a-t-il dissimulé que le texte remis aux Turcs pourrait être l'objet d'une discussion raisonnable ? Prétendre que l'intervention du Gouvernement français a été calculée pour saper les efforts communs des Alliés et empêcher [illegible] les résultats des négociations de Lausanne, c'est précisément soutenir le contraire de la réalité.

Bien plus, c'est renverser les rôles que d'avancer que la responsabilité d'un échec pourrait retomber sur le Gouvernement français. A-t-il négligé aucune occasion d'assurer le succès commun ? Peut-on lui reprocher d'avoir failli le compromettre par une intransigeance ou par des menaces intempestives ? Est-ce lui qui a entretenu en Grèce, au risque de raidumer une guerre lointaine, cet esprit agressif que l'état misérable des régiments grecs cantonnés sur la Maritza, révélé par les rapports du Colonel français qui vient de les visiter, n'aurait pas suffi à inspirer à Athènes, si le Cabinet grec ne s'était cru soutenu par une grande Puissance ? Le Gouvernement français n'a-t-il pas jusqu'au bout donné l'exemple de la modération ? N'a-t-il pas encore témoigné son entière confiance en ses alliés en s'associant aux vues de Lord Curzon au sujet de Karagatch et de la garnison turque de Gallipoli ?

Si cela [illegible] n'a pas tenu à Lausanne les engagements pris, ce n'est certes pas la délégation française. Elle n'a pas, contrairement à l'entente formelle, [illegible] hors de la régence [illegible] les travaux de la conférence, prétendu présider deux réunions [illegible] ensuite, pour [illegible] plus facilement une méthode contraire aux vœux des autres délégations.

Les intentions du Gouvernement français et les efforts de sa conduite ont donc été singulièrement méconnus dans la note anglaise et il a le droit d'en être profondément

surpris. Il compte que, contrairement à un usage qui semble s'être malheureusement établi à Londres et dont il vient d'être donné un tout récent exemple, le présent mémorandum et celui auquel il répond resteront destinés à l'information secrète des deux Gouvernements. Une indiscrétion aurait les plus graves conséquences pour les relations amicales des deux pays que le Gouvernement français tient, pour sa part, à maintenir intactes et même à resserrer sur tous les théâtres du monde.

Paris, le 4 février 1923.

No. 209

The Marquess Curzon of Kedleston to Mr. Lindsay. (*Received February* 5.)

(No. 264.) [By Bag.]

(Telegraphic.) *Lausanne, February* 3, 1923.

YOUR telegram No. 158 of 31st January: Wireless telegraph stations at Constantinople.

Whatever happens, British and French authorities would obviously be entitled to remove their own gear.

There has been no formal consultation with French here, and I have no reason to suppose that French Government have issued any instructions. Matter was mentioned informally to member of French delegation, who expressed agreement with our view regarding disposal in case of peaceful evacuation of Allied forces.

It would appear preferable that any definite exchange of views should take place locally between General Harington and General Charpy. Only point in our proposed instructions which seems likely to present difficulty is question of dismantlement in event of our leaving under pressure and French remaining behind. In that case we should have to leave French in charge of stations on clear understanding that French must be responsible for safeguarding joint Allied rights in stations.

I would suggest that instructions proposed should be sent to General Harington with addition to effect that they are issued subject to his securing concurrence of General Charpy, and that he should be given discretion to arrange procedure with General Charpy in event of our leaving Constantinople before French troops are evacuated.

No. 210

The Marquess of Crewe to the Marquess Curzon of Kedleston. (*Received February* 5.)

(No. 141.) [By Bag.]

(Telegraphic.) *Paris, February* 4, 1923.

AS reported briefly in my telegram No. 139, I saw the President of the Council yesterday afternoon on the subject of your telegram No. 56 and Lausanne telegrams Nos. 253 and 258, and said that I was instructed to point out the serious contradiction which you observed between his telegram to Angora of 27th January and the instructions which he had sent to Constantinople on the 29th. After stating the case in general terms, I handed him the memorandum, of which I am sending a copy. M. Poincaré, after reading the memorandum, said that he would send me a full written reply as soon as possible, but meantime he wished to say that the statements contained in it were in many respects inaccurate. First and foremost, the instructions sent to General Pellé were neither more nor less than what he had said here to Lord Curzon and what M. Bompard had publicly stated at Lausanne. I said that the "Temps" had had a categorical account of the message before we had been told anything about it, and I understood that the "Temps" was supplied with special information by the Quai d'Orsay, to which he replied that it did not get more information than other newspapers. He had never agreed that the proper way to treat the Turks was to present them with an ultimatum, as your Lordship desired, but to set a complete treaty before them, while saying that some days would be available for considering objections in detail. I said that this was precisely what your

Lordship had done in remaining on at Lausanne, and giving Ismet Pasha some days to examine the treaty as a whole, but the instructions sent to General Pellé might equally mean a delay of weeks or months. M. Poincaré seemed to have forgotten several things—the months that had already been spend over the treaty, the enormous concessions made to the Turks on finance, on the subject of the Straits, and many others, and, in particular, the astonishing patience which your Lordship had shown throughout. It was quite true that you had always been convinced that at last it might be necessary to confront the Turks with a short, sharp stroke if they were to be got to sign. The business must come to an end some time, and the time had arrived. M. Poincaré repeated that he had always held a different view about the Turks of the present day, who required different treatment, but he was full of admiration for the patience you had displayed in dealing with them. His sole object had been to avoid renewal of war in the East, of which he was profoundly afraid. He had absolutely certain secret information that M. Veniselos was trying to create trouble at Karagatch in hopes of bringing about conflict. I said that he knew quite well that His Majesty's Government were not encouraging any further Greek pretensions. They were equally averse from war, and I hoped it was true that the Turks were likewise. The President of the Council said that he could only regard the tone of the memorandum as distinctly unfriendly. It contained actual threats, and he did not like threats. I replied that your Lordship had been greatly disturbed and annoyed by what had passed. He said that the terms of the memorandum, and, indeed, the fact of its having been presented, would in no way be made public. If it were, he would regard it as a most serious matter. The French were making every effort in the occupied districts to avoid every possible cause of friction with us, but if the Germans knew that you had written of danger to the *Entente* they would regard it as a direct encouragement. I answered that I had no intention of making any communication to the press, and, from what he had just said, I assumed that he did not mean to do so. I would inform your Lordship and the Prime Minister of his desire that nothing should be made public.

No. 211

The Marquess of Crewe to the Marquess Curzon of Kedleston.—(Received February 5.)

(No. 142. Confidential.) [By Bag.]
(Telegraphic.) *Paris, February 4, 1923.*

AFTER my interview with the President of the Council yesterday, M. Poincaré saw a leading journalist and informed him that our conversation was "only about the general situation." I am told that he seemed very anxious to dispel any idea of France making a separate peace, and said his attitude had only been intended to prove that France had the legal right to do so if she wished.

As regards Karagatch question, he said England and France would walk hand-in-hand, and deprecated Greek Minister's threats of a renewal of war.

No. 212

Mr. Henderson to the Marquess Curzon of Kedleston. (Received February 5.)

(No. 53.)
(Telegraphic.) *Constantinople, February 5, 1923.*

I NOTICE that French press, in explaining away recent French communications to Turks in regard to Peace Treaty, states that French High Commissioner here notified my Italian colleague and myself of communication referred to in my telegram No. 64 to Lausanne, and that we raised no objection.

Version is tendencious, as French High Commissioner only notified us twenty-four hours after he had made communication, when it would have been useless to formalise objections. As a matter of fact, I made it clear at the time that I disapproved of it.

No. 213.

Telegram (by Telephone) from the Marquess of Crewe (Paris).—(Received February 5, 1923.)

(No. 144.)
(Telegraphic.)

CONSTERNATION prevails in Turcophil circles here at breakdown of conference over Capitulations question, as admitted by M. Bompard in a declaration to the press.

M. Tardieu declares that Turkish arrogance has saved France from the effect of her own Turcomania, and that M. Poincaré's astonishing policy of weakness has been punished by this startling failure.

The only morning Paris newspaper which blames His Majesty's Government is the "Daily Mail," which does great harm by its senseless attack.

No. 214.

Telegram from Mr. Cavendish-Bentinck (Lausanne), telephoned from Paris.—(Received February 5, 1923.)

ISMET PASHA made a lengthy statement to the press representatives last night. He laid particular emphasis on his inability to accept economic clauses proposed by the Allied delegation and said comparatively little with regard to the refusal of the Turkish delegation to agree to the Allied formula relating to the régime for foreigners in Turkey.

When asked whether or no the Mudania Armistice remained in force, Ismet Pasha showed reluctance to express a definite opinion, but replied that he understood that the armistice would certainly remain in force as long as the conference lasted, and that, pending a communication from the inviting Powers, he regarded the conference as suspended. I am told, however, that he would regard the departure of the conference secretariat as tantamount to an intimation of rupture.

When making his statement to the press representatives, Ismet Pasha seemed dazed and much agitated.

I am told that the Turkish delegation are amazed and dismayed at the result of their crazy folly. They telephoned to this hotel twice yesterday evening to discover whether or no your Lordship and the whole British delegation had left. On learning that this was the case they seemed pained and surprised.

M. Bompard left at 1·15 P.M. to-day, together with the French delegation, except M. Massigli, who remained at the conference secretariat.

American delegation has telegraphed to Washington for instructions whether or no they should leave.

I will report later the movements of the Italian and Turkish delegations.

I leave Lausanne to-night if the accounts of this delegation can be completed in time, or, at the latest, to-morrow morning.

[E 1489/1/44] No. 215.

M. Montagna to the Marquess Curzon of Kedleston, President of the First Commission.—(Received in Foreign Office, February 6.)

[This note, although dated the 30th January, was not transmitted to the President of the Commission until the 3rd February, and had not actually been circulated by the Secretary-General before the close of the conference on the 4th February.]

Délégation italienne, Lausanne, le 30 janvier 1923.

M. le Président,

CONFORMÉMENT à la décision prise par la Commission des Questions territoriales et militaires, dans sa séance du 10 courant, la Sous-Commission pour l'Échange des Populations, qui avait déjà établi en principe la restitution des otages civils, l'échange des prisonniers de guerre et des populations entre la Turquie et la Grèce, a repris ses travaux pour fixer les modalités d'exécution de l'accord qui avait été réalisé sur ces différents points.

La première question dont a eu à s'occuper la sous-commission a été celle de la restitution des otages civils. Il a été établi, d'un commun accord, que les Gouvernements hellénique et turc restitueraient toutes les personnes déportées comme otages ou prisonniers civils sur la base des listes échangées entre les Gouvernements précités. Une commission de la Croix-Rouge internationale comprenant trois membres, à laquelle seraient adjoints un représentant turc et un représentant grec, dirigerait les opérations de restitution et effectuerait les recherches de personnes non comprises dans l'une des deux listes échangées. Les otages appartenant à l'Asie Mineure seraient restitués à Smyrne et ceux appartenant à la Thrace à Constantinople.

La restitution commencerait sept jours après la signature de l'accord, et devrait être terminée dans les deux semaines pour les personnes figurant sur les listes échangées et dans le délai minimum pour les personnes à rechercher.

L'accord precite a pu être atteint assez rapidement, mais au dernier moment une grave difficulté a surgi à la suite de la demande formulée par la délégation hellénique, c'est-à-dire que les vapeurs qui opéreraient le rapatriement des otages puissent, pour ne pas retourner vides, embarquer un certain nombre de prisonniers de guerre grecs ou de déportés. Sur les instances des délégations alliées, la délégation hellénique a bien voulu retirer cette demande, et il a été établi qu'à peine le rapatriement des otages et prisonniers civils turcs aurait été terminé, les otages et prisonniers civils de sujetion hellénique détenus en Turquie seraient restitués et pourraient s'embarquer sur les mêmes vapeurs qui auraient assuré le transport des premiers.

La sous-commission, après avoir solutionné la question des otages, a abordé immédiatement celle de l'échange des prisonniers de guerre.

Cette question également a pu être résolue assez rapidement grâce à la précieuse collaboration des experts militaires, notamment les Colonels Heywood, Courtin et Vitale.

L'accord qui a été conclu à ce sujet établit que, aussitôt que possible après la date à laquelle aura eu lieu la restitution des otages et dans un délai maximum de quinze jours à partir de cette date, la Grèce restituera à la Turquie et transportera à Smyrne, en une seule fois, la totalité des prisonniers de guerre turcs qu'elle détient.

La Turquie restituera aussi à la Grèce un nombre égal de prisonniers de guerre officier pour officier, soldat pour soldat) qui seront rapatriés par le voyage de retour des bateaux grecs ayant amené les prisonniers de guerre turcs.

Le reste des prisonniers de guerre grecs sera rapatrié par les soins de la Turquie en Grèce dès la signature de la paix et dans un délai de trois semaines après cette signature. La même commission prévue pour la restitution des otages présidera à l'échange des prisonniers de guerre. Les Gouvernements turc et grec, dans un but d'apaisement, se sont engagés à étendre les bienfaits de l'amnistie à tous les prisonniers de guerre et internés civils, aussi bien à ceux passibles ou frappés de peines pour crimes et délits de droit commun qu'à ceux passibles ou frappés de peines contre la discipline.

La sous-commission, encouragée par les premiers heureux résultats obtenus, s'est resolument mise à l'œuvre pour accomplir la grave tâche qui lui avait été confiée, celle d'établir le règlement relatif à l'échange des populations entre la Turquie et la Grèce. Cette tâche était fort délicate, car il s'agissait de pourvoir au déplacement de centaines de milliers de personnes et à la liquidation de leurs biens en sauvegardant les intérêts réciproques des parties en cause, de fixer la nationalité des émigrants, d'assurer leur établissement dans le pays de destination et de diminuer, autant que possible, les répercussions économiques que l'échange était de nature à produire dans les deux pays.

La sous-commission a fixé dans la convention acceptée par les parties :

1. Quels sont les territoires des deux pays soumis à l'échange et quels ceux qui en sont exemptés ;
2. Le statut juridique au point de vue de la nationalité des personnes échangées ;
3. Les facilités à accorder aux émigrants pour le transport de leurs biens meubles et les formalités d'inventaire à remplir pour la partie de ces biens meubles qu'ils ne seraient pas à même de transporter avec eux ;
4. La procédure à suivre pour l'estimation et la liquidation des immeubles ruraux et urbains ainsi que les biens meubles laissés par les émigrants ;
5. Le mode de constitution de la commission chargée de procéder à la liquidation des biens mentionnés au numéro précédent ainsi que les différentes attributions qui devraient lui être confiées ;
6. Les garanties à accorder aux émigrants dépossédés de leurs biens ;
7. Le mode de liquidation des biens vakoufs.

De longs débats se sont engagés pour établir le détail de ces différents points. Ces débats ont presque entièrement occupé les douze séances qu'a dû tenir la sous-commission à partir du 11 courant pour pouvoir aboutir. Les difficultés à surmonter on été très grandes, mais, grâce à l'esprit de conciliation dont étaient animées les délégations turque et grecque et la précieuse collaboration des délégations alliées, elles ont pu être surmontées.

Je ferai brièvement mention de quelques-unes de ces difficultés.

La délégation turque voulait insérer dans l'article 1er de la convention une disposition par laquelle devaient être compris dans l'échange les Grecs ottomans de religion catholique. Je me suis opposé avec vigueur à cette extension du principe de l'échange en obtenant gain de cause.

La même délégation voulait aussi, par l'article susindiqué, empêcher aux ressortissants hellènes établis en Turquie d'y retourner après la conclusion de la paix. La délégation turque s'est laissée persuader de renoncer à cette demande, qui était en contradiction avec les principes du droit public.

En ce qui concerne l'article 2, qui fixe les limites territoriales des zones exclues de l'échange, la discussion a été très vive. Malgré tous les efforts déployés par les délégations alliées, la délégation turque n'a pas voulu consentir à élargir les limites de la zone de Constantinople où les Grecs sont autorisés à rentrer, en y comprenant les villages situés entre Bostandjik et Pendik. Elle s'est également refusée de laisser à Constantinople les Grecs qui y ont immigré après le 30 octobre 1918. Mais, par contre, elle a consenti à un gros sacrifice en renonçant à une nouvelle demande tendant à étendre l'exemption de l'échange des populations.

La délégation turque avait demandé que tous les musulmans habitant les territoires situés entre la Maritza et la Strouma fussent exclus de l'échange. Cette demande était appuyée sur des considérations d'ordre économique, sur le fait que la frontière géographique de la Thrace occidentale était constituée par la Strouma et sur la nécessité de maintenir le nombre des musulmans restant en Grèce avec celui des Grecs restant en Turquie. Cette demande a mis en sérieux péril le sort de la convention, mais, grâce aux instances des délégations alliées, elle a été retirée par la délégation turque, qui a accepté que les populations musulmanes habitant entre la Mesta et la Strouma fussent comprises dans l'échange, à condition toutefois qu'elles formeraient le dernier contingent de l'échange. La sous-commission a cru de son devoir d'insérer dans le procès-verbal de la séance une recommandation adressée à la Commission mixte dans le sens susindiqué, dont la teneur suit :

" La sous-commission, après les raisons entendues de part et d'autre, recommande vivement à la Commission mixte que la population qui se trouve établie entre la Mesta et la Strouma, soumise à l'échange, constitue le dernier contingent de l'échange même.

" La sous-commission recommande particulièrement à la Commission mixte de vouloir prendre en sérieuse considération les intérêts économiques des populations à échanger, soit en ce qui concerne la production agricole et le commerce que ces populations n'aient pas à souffrir plus qu'il n'est nécessaire des conséquences de l'échange."

Ainsi a pu être surmonté un des plus grands obstacles que la sous-commission a rencontré dans le cours de ses travaux. Des difficultés ont également surgi en ce que concerne le texte de l'article 1, qui prévoit la libération des hommes valides appartenant à la population grecque, dont les familles ont déjà quitté la Turquie. La délégation turque se refusait à accorder la libération de ces hommes, car elle craignait qu'ils ne fussent enrôlés dans l'armée grecque. Sur les instances des délégations alliées, il a été établi que ces hommes formeraient le premier contingent de Grecs à échanger et qu'ils seraient, à titre exceptionnel, libérés et autorisés à partir dès la signature du traité de paix.

L'article 9 de la convention a également donné lieu à des débats qui se sont prolongés jusqu'à la dernière séance.

La délégation turque demandait la liquidation d'office des biens situés dans les régions soumises à l'échange obligatoire appartenant à des communautés religieuses ou à des institutions de bienfaisance établies dans une région non soumise à l'échange. Cette demande a été motivée par le désir de supprimer tous intérêts turcs ou grecs dans les régions évacuées et d'éviter ainsi à l'avenir la possibilité de conflits.

La délégation hellénique, par contre, ne voulait en aucune façon porter atteinte au libre exercice du droit de propriété des communautés et institutions dont il s'agit.

mais, dans le sincère désir d'arriver à la conclusion de l'accord, elle a bien voulu à la dernière séance accéder au point de vue turc.

Lors de l'examen de l'article 10 de la convention, qui prévoit la liquidation des biens appartenant aux personnes ayant déjà quitté le territoire des parties contractantes, la délégation turque a demandé l'adjonction d'un alinéa ainsi conçu :

"Les droits des musulmans résidant en dehors de la Grèce et y ayant des propriétés, de même que les droits des personnes qui ont émigré avant 1912 de la Grèce et de l'île de Crète, seront également soumis aux dispositions de l'article 10 de la convention de l'échange des populations."

J'ai dû faire observer à la délégation turque que cette demande ne rentrait pas dans le cadre des attributions confiées à la sous-commission, car il s'agissait de droits appartenant à des personnes résidant hors de la Grèce et n'ayant rien à faire avec l'échange. La demande en question pouvait être examinée seulement par la Commission des Questions politiques et territoriales.

La délégation turque a convenu du bien-fondé de mon objection, mais elle m'a prié de saisir votre Excellence, en qualité de président de la commission précitée, de sa demande. Je fais droit à cette prière, et je recommande à la bienveillante attention de votre Excellence l'examen de cette question.

Toujours à l'occasion de l'article 10 un très grave différend, qui a failli compromettre la conclusion de l'accord, a surgi entre les délégations turque et hellénique. La première de ces délégations se plaignait de certaines lois ayant caractère vexatoire pour les musulmans, promulguées en Grèce, et surtout de la loi agraire sur les expropriations, qui visait à déposséder les musulmans des grandes fermes dont ils étaient propriétaires. Elle demandait que les biens expropriés en vertu de la loi précitée fussent soumis à une nouvelle évaluation par les soins de la Commission mixte et leurs propriétaires indemnisés.

La délégation hellenique opposait le refus le plus formel à cette demande en soutenant que la loi agraire, ayant un caractère général, avait également frappé tous les grands propriétaires nationaux et étrangers, et que, si le principe d'une indemnisation était admis pour les musulmans, les autres intéressés auraient prétendu, à juste titre, de bénéficier de ce principe. Les arguments soutenus de part et d'autre ne manquaient pas de fondement et semblaient rendre impossible la solution du conflit. A la dernière séance la délégation hellénique, sur les instances des délégations alliées, a bien voulu céder et accepter la formule contenue sur ce point à l'article 10. Par ce même article sont indiqués les principes auxquels s'inspirera la Commission mixte pour la liquidation des biens valeurds.

Enfin, grâce au précieux concours des experts financiers, a pu être dressé l'article 14 de la convention, qui prévoit les garanties à fournir par les Gouvernements intéressés pour assurer aux emigrants dans le pays où ils transferent leur résidence des biens equivalents à ceux qu'ils ont laissés ou une juste indemnisation pecuniaire.

Ainsi, graduellement et à force de patience, ont pu être surmontées toutes les difficultés qui semblaient s'opposer à la conclusion de l'accord.

La convention qui a été préparée a un caractère général afin de ne pas entraver l'œuvre de la Commission mixte, qui aura une mission extrêmement difficile à remplir. Ce résultat a pu être obtenu grâce à la bonne volonté et au grand esprit de conciliation dont ont fait preuve les délégations turque et hellenique, auxquels je dois rendre hommage.

Je dois également remercier les delegués alliés pour leur active et efficace collaboration, qui a grandement contribué à la bonne réussite des négociations.

J'ai l'honneur d'informer votre Excellence qu'aujourd'hui même, 30 janvier, les deux accords concernant la restitution des otages et l'échange des prisonniers de guerre, ainsi que la convention relative à l'échange des populations, ont été signés par les plénipotentiaires grecs et turcs, et que le premier de ces accords est déjà en cours d'exécution. Je forme le vœu sincère que ces premiers résultats concrets obtenus par la conférence soient un heureux présage pour la réussite de ses travaux ultérieurs qui tendent à la paix.

Veuillez, &c.
G. C. MONTAGNA.

[E 1470/1/44] No. 216.

Sir R. Graham to the Marquess Curzon of Kedleston.—(Received February 6.)

(No. 116.)
My Lord, *Rome, February 2, 1923.*

WITH reference to my despatch No. 15 of the 5th January, I have the honour to report that the recent press comments on the situation at Lausanne have been, upon the whole, not unfriendly in character. Criticism is no doubt partly held back in the expectation that Italy may share in the eventual partition of oil rights, and your Lordship's speech on the Mosul issue has served to enlighten Italian opinion, which in the past has been considerably influenced by anti-British propaganda on the question of mandates.

The London correspondent of the "Giornale d'Italia" writes: "Lord Curzon, after sustaining a prolonged duel with Ismet, has been forced to the painful conclusion that the Angora Government is determined to carry its opposition to the extreme length of contesting the British mandates. The question of Mosul is but the lid of this boiling cauldron of Turkish revindications. The Turks have begun to take their bite of England; they will then gnaw at France, and by degrees even at the modest pretensions of Italy. Hence the advice from Lausanne to London has been to substitute the convincing boom of guns for the extremely able dialectic of Lord Curzon.

"The best hope is that at last the Allies, and England in particular, may be induced to reconstitute in its integrity the association of victor Powers, the decay of which is the chief cause of the present situation. Italy meanwhile has the fortunate position of being able to keep a control over the progress of the bonfire without having to burn her own hands."

The "Nuovo Paese" of the 30th January, seeks the explanation of the failure to reach an agreement at Lausanne, "partly in the repercussion of the Ruhr crisis, but still more in a revival of militarism at Athens. Venizelos, who cannot return to Athens, is doing everything to persuade us that his country is ready for an act of revenge. Has he persuaded the British? If not, we may have peace. And the Bonar Law Government is not likely to forget the causes of the fall of Lloyd George. Nevertheless, there is grave danger in the new Hellenophil current in England."

The "Epoca," of the 2nd February, writes that the French move is calculated to embarrass England in her evident intention to conclude a separate agreement with Turkey on Mosul and the Dardanelles. "For it had become apparent that the 'united front' at Lausanne had lost France her privileged position and enabled England to prepare the way for a separate *accord*."

Most papers emphasise the "blow dealt by France to England in M. Poincaré's note, on which England is compelled to put the best face she can" ("Nuovo Paese," the 2nd February).

The most unfriendly article comes, as usual, from the "Mattino." This paper, discussing the suggested arbitration of the League of Nations, writes: "England is invoking the solidarity of the League in a situation where the threat of war arises from the mandated frontiers. It matters little that this solidarity does not explicitly involve military action. It means, in any case, that the members of the League are not to conclude peace with Turkey till Great Britain does so. The united war front which we refused to give at Lausanne will be automatically remade by the League in which British dominions at the other end of the world have a vote. The imagination cannot conjure up anything more remote from our interests. How can we be asked to back England at Mosul when we ourselves left Anatolia to avoid war, and to defend British mandates when we have no mandate of our own? The Covenant of the League guarantees us none of our own rights (*e.g.*, the tripartite agreement). Now that we have obtained a satisfactory solution for our own interests, and the Curzon-incubus has been lifted from the Mediterranean, the League is to be called in to sow once more the dragon's teeth."

I have, &c.
R. GRAHAM

[E 1471/1/44] No. 217.

Sir R. Graham to the Marquess Curzon of Kedleston.—(Received February 6.)

(No. 121.)

My Lord, *Rome, February 2, 1923*

I HAVE had the honour to report in my despatch No. 116 of to-day's date the opinions of the Italian press on the recent developments at Lausanne.

At an interview with the Director-General of the Ministry for Foreign Affairs this morning the conversation turned upon this subject, and Senator Contarini read out to me a telegram received from the Italian Ambassador in Paris with regard to the French attitude and the misunderstanding which had arisen owing to the "Temps" article and a Havas communiqué. Baron Romano Avezzana's message did not throw any new light upon the matter, or make it clearer to me, but seemed to indicate that the French Government reserved the right in certain eventualities to negotiate separately with the Turks.

I thought it advisable to take the opportunity to speak to Senator Contarini in the sense of your Lordship's despatch No. 151 of the 26th ultimo. I said that, in the event of the Turks refusing their signature to the proposed treaty, His Majesty's Government intended to remind the French and Italian Governments of the declaration signed at London on 30th November, 1915, and I read out the terms to him. I requested him to take note of this intimation.

Senator Contarini thanked me for my communication, and said that he was glad to receive it as it would strengthen the hands of the Italian Government. So far as he was concerned, and he was convinced that Signor Mussolini shared the same view, he felt sure that Italy would not sign a separate peace with Turkey. Throughout the Lausanne Conference the Turks had been throwing out feelers to see if they could not induce the Italians to come to separate terms, and had offered most of the advantages which would have been secured to Italy under the tripartite agreement. But all such offers had been firmly repudiated. Senator Contarini considered that your Lordship ought to be very satisfied with the attitude and behaviour of the Italian delegation at Lausanne, as they had sacrificed what were generally regarded here as Italian interests in order to give you a wholehearted support.

I said that I was glad to receive Senator Contarini's assurance, and took due note of it. In so far as Italian support to your Lordship was concerned, there appeared to have been moments when the French and Italian delegations showed preference for the protraction of useless negotiations when a firm take-it-or-leave-it attitude might have led to more satisfactory results. Moreover, a natural resentment had been created in British circles by Signor Garroni's attempt to make Italian support dependent upon concessions to Italy in connection with the mandated territories and a consortium in Turkey. But Italian support, whenever rendered, had been useful, and had, I knew, earned your Lordship's appreciation. Moreover, it was especially important that it should be continued at the present juncture. Senator Contarini took exception to my reference to Signor Garroni's proposal, which, he said, had been entirely misunderstood. As I would have observed, the proposal had led to nothing and there had been no satisfaction of Italian demands, nevertheless the Italian delegates had not changed their attitude or withheld their support.

Finally Senator Contarini told me that he had had an interview on the previous day with Jellal-ed-Din, the Angora envoy to Rome, and had impressed very strongly upon him that it was greatly to the interests of Turkey to sign the proposed moderate and fair treaty offered to her.

He had sent for Jellal-ed-Din because he had been informed that the latter had booked a berth for himself and his staff on the steamer leaving Brindisi on the 8th instant for Constantinople. This has since been confirmed. Senator Contarini said that Jellal-ed-Din had shown himself very unaccommodating, and had said that Turkey could never give way on the question of Karagatch or Mosul. He had indeed expressed his conviction that the Lausanne Conference would break down and that war would result. But throughout these last months Jellal-ed-Din has always shown himself to be particularly difficult and intransigent, and too much weight need not therefore be attached to his views.

I have, &c.

R. GRAHAM

[E 1528/1/44] No. 218.

British Secretary's Notes of Meeting held in Lord Curzon's Room at the Beau Rivage Hotel, Lausanne, on Sunday, February 4, 1923, at 5·40 P.M.—(Received February 7.)

Present:

British Empire.	France.	Italy.
The Marquess Curzon of Kedleston. Sir Horace Rumbold.	M. Bompard.	Marquis Garroni. M. Montagna.

Turkey.

Ismet Pasha.
Riza Nour Bey.
Hassan Bey.

Also present:

British Empire.	France.	Italy.
Sir Eyre Crowe. Mr. Nicolson. Mr. Forbes Adam. Mr. Leeper.	M. Bargeton.	M. Nogara. M. Arlotta. M. Guarigha. Dr. Scuni.

Interpreters: M. Camerlynck and Munir Bey.

LORD CURZON, in opening the discussion, reminded Ismet Pasha that the Allied Powers had, the day before, put forward the final concessions which they were prepared to make. The Turkish delegation had had full time to examine these concessions, and their reply had, in fact, been received that afternoon.* Lord Curzon wished to express his recognition of the friendly spirit which had animated this Turkish reply. He had observed particularly and with great satisfaction that Ismet Pasha had concluded his note with the most earnest expression of his desire for peace, and with a statement that he would be willing without further delay to sign the treaty. The Allied Powers fully shared this desire. "The treaty," said Lord Curzon, "must be signed here and now. There are only a few hours left. The world is looking for a solution, and we must find one before we leave this room."

Lord Curzon continued by pointing out to Ismet Pasha that even after the Allied meeting of the 3rd February, and in addition to the concessions which had then been made, the inviting Powers, and notably the British Empire, had made further important concessions. Let Ismet Pasha realise quite clearly that in making a concession to Turkey regarding the payment for the ships which Great Britain had requisitioned in 1914, Lord Curzon had taken upon himself a responsibility which he would be obliged to defend before British public opinion. He had made this concession and assumed this responsibility in order to please Ismet Pasha. It was by far the greatest concession Great Britain had made, and Ismet Pasha should fully appreciate its magnitude.

Lord Curzon then turned to the text of the letter received that afternoon from the Turkish delegation, which figures as Annex I to these notes. He expressed the hope that Ismet Pasha would realise that it was now out of the question to reopen, or even to reserve, any large number of the questions raised in that document. The conference could not at this moment enter upon a further stage. The Allies had considered very carefully, in their intense desire for peace, whether it would be possible for any or all of them to make further concessions at this eleventh hour. Lord Curzon, for his part, was willing to make such a concession on a point of

* See Annex 1.

the greatest importance, namely, that of Mosul. Ismet Pasha had asked that the settlement of this question might be postponed for the period of one year to allow for direct discussion between His Majesty's Government and the Turkish Government. Lord Curzon regretted that he was unable to consent to any alteration in the actual words of the treaty, since the matter had already, as stated in the treaty article, been referred to the League of Nations and was now in the hands of that body. Lord Curzon was prepared, however, in a spirit of friendship and conciliation, to *suspend* the result of his appeal to the League of Nations for a period of one year. In other words, the League of Nations would be asked not to proceed with the determination of the frontier during the next twelve months in order that time might be given to His Majesty's Government and the Turkish Government to examine the matter by direct and friendly discussion. This concession, the importance of which he need scarcely underline, was absolutely the last which Lord Curzon was prepared to make. He was glad, however, at this final moment to make this offer to Ismet Pasha, but he could only do so under two conditions, namely, that if the two Governments failed to reach a direct understanding, the intervention of the League would be resorted to in the manner originally proposed, and that the *status quo* existing in that region should be preserved during the year in which these discussions might continue.

Lord Curzon again expressed the earnest hope that the Turkish delegation would realise the magnitude of this offer in the spirit in which it was made. Lord Curzon had prepared the draft declaration in which his offer was embodied and which he was prepared to sign. He would give this draft declaration at once to Ismet Pasha for him to read.*

Lord Curzon then turned to the other points raised in the letter of the Turkish delegation. He explained that Ismet Pasha had asked that a number of points relating especially to economic questions should be reserved for later discussion between the Allied Governments and the Turkish Government. The three plenipotentiaries had that afternoon been carefully through the clauses of the economic chapter and were now willing to arrange that a certain number of these clauses, while remaining in the treaty as they now stood, should be left open for a period of six months in order to provide for a further examination and settlement between the Allies and Turkey. The articles which the Allies were prepared to leave open in this manner were articles 83, 84, 91, 92 and the annex to article 83.

M. BOMPARD followed Lord Curzon with a speech in which he expressed his long-standing friendship and affection for Turkey. He wished to assure the Turkish delegation, on the basis of this friendship and affection, that there was nothing whatsoever in the treaty as it stood at present which could wound their susceptibilities or infringe their sovereignty. The concessions which had been made that morning were of the greatest importance. Thanks to the generosity of England, Turkey could come out of the war with no reparations to pay. Turkey needed peace and needed reconstruction. She could have peace immediately by signing this treaty; she could only have reconstruction with the help of foreign capital. It was for this reason that it was so essential for Turkey to provide securities and guarantees for foreigners wishing to reside in Turkey. It was necessary to look facts in the face: Turkey needed foreign assistance, and without some guarantee regarding judicial procedure no respectable foreigner would come to their country. M. Bompard continued that he was frequently obtaining information which showed the pitiable state of Turkish finances and economics. The Turkish delegation would be mad in such conditions to refuse the peace that was offered them. The treaty was just and generous. M. Bompard did not mind saying that he was too great a friend of Turkey to have associated himself with a peace treaty that he did not honestly consider just. He appealed with all his heart to Ismet Pasha to sign this treaty. He would return to Angora with peace and receive the blessings of his people.

MARQUIS GARRONI pointed out at some length the conciliatory spirit in which the treaty had been drafted, and explained very carefully that the provisions relating to the future status of foreigners in Turkey had been framed with a view to conciliating Turkish susceptibilities and of admitting no interference with Turkish sovereign rights. He joined with his two colleagues in appealing earnestly to Ismet Pasha not to allow this vital opportunity to pass.

LORD CURZON then stated that there was one point which he had forgotten to emphasise in his speech. It was this. The peace now offered to the Turkish

* See Annex 5.

delegation was offered by the Allies in unison. He asked Ismet Pasha to realise that when he, Lord Curzon, left Lausanne that evening the Turkish delegation could not hope, by going round the next day to the French or the Italians, to achieve some further modifications in the proposals of the Allies. This was not the case. The Turkish delegation must understand that the Allied Powers had come to an agreement by which they were determined to abide. No Allied delegation would accept separate discussion. They had all reached a point where delay or waiting would produce no further change. Lord Curzon felt it his duty to emphasise this aspect of the question because of the loyalty his comrades had shown, and also, if he might say so, because of the loyalty he had shown to his Allies.

Lord Curzon continued: "I wish you to realise, Ismet Pasha, that I have given up more than I thought possible. I have done this for the sake of peace. Peace, as M. Bompard says, is in your hands. If within the next two hours we do not conclude peace, there will be no peace; we cannot wait; and I do implore you to accept, in the spirit of the concluding words of your own letter, the concessions which we have made and to realise that we have now come to an end."

ISMET PASHA stated that for months the Turkish delegation had struggled to arrive at peace. In the last few days alone they had made enormous sacrifices. The Allies must admit that this was the case. There was one point which he wished to raise at once, namely, that of the Greek indemnity.

LORD CURZON explained that this also was a point on which the Allies were not quite clear. Ismet Pasha must remember that in the original treaty it was suggested that both the Greeks and the Turks should renounce their claims against each other. The Turks had objected to this, and we had therefore decided to suppress that article and to leave the settlement of their respective claims to the two Governments to settle themselves.

The Turks had then explained that they wanted some article in the treaty under which the Greeks would be obliged to consider this question. The Allies had prepared a formula* which had been shown to the Turks last night under which both sides undertook to settle direct with the other and to submit to arbitration in the case of disagreement. This formula had been shown to the Turks on Saturday evening. In the letter which they had addressed to the plenipotentiaries of the inviting Powers on Sunday, they stated that they took act of the recognition by the Allied Powers of the principle of Greek responsibility for reparation payments. Lord Curzon did not fully understand what was meant by this phrase in Ismet Pasha's letter. Did it mean that, after all, he accepted the formula which had been shown to him last night?

ISMET PASHA explained that what the Turkish delegation wanted was the fixation of the sum to be paid by Greece in the way of reparation. If some fixed sum could be stipulated any further claims might, as proposed by the formula, be left for direct discussion and even eventual arbitration. Such was the proposition which Ismet Pasha wished to make.

LORD CURZON pointed out that Ismet Pasha's proposal was not in the least a helpful one at that stage. It was impossible, within the two hours that still remained, to fix a definite figure for Greek reparation, and it would be far better if Ismet Pasha could accept the formula which had been shown to him, under which all his rights and claims were reserved.

At this moment, ISMET PASHA stated that he was not contented with the discussion as it was proceeding. Might he and his two colleagues adjourn into another room for a few moments to discuss the situation? Ismet Pasha, Riza Nour Bey and Hassan Bey accordingly left the room at 6·30, and returned without Hassan Bey at 6·45.

Ismet Pasha said that he accepted Lord Curzon's proposals regarding Mosul. He also accepted the proposed formula as regards the payment of an indemnity by Greece, subject, however, to the omission from it of the reference to Greek claims against Turkey.†

LORD CURZON replied that the Allies might be willing to accept the formula with this alteration, subject to the concurrence of the Greek delegation.

* See Annex 5.

ISMET PASHA, continuing his reply to the Allied proposals, explained that the declaration which the Turkish delegation had proposed was the maximum which he could accept in the matter of judicial guarantees for foreigners in Turkey. As regards the economic clauses of the treaty the Turkish delegation were unable to accept the Allied proposal for the adjournment of the discussion on certain of these clauses. If Turkey were to accept the economic clauses of the treaty as now proposed by the Allies she would be placed in a position of economic servitude.

LORD CURZON exclaimed against the use of such a term as applied to the economic clauses of the treaty in their present form. He could not accept these declarations as the last words of the Turkish delegation on judicial guarantees and economic clauses. It was incredible that Ismet Pasha should refuse peace on these two points. Let the conference consider for a moment what had happened as regards the Allied proposals for the judicial guarantees for foreigners in Turkey in the future. For nearly three months this question had been discussed between them. The Allied delegations and the Allied experts had put forward either officially, semi-officially or privately perhaps ten or twelve different formulas. No counter proposal of any kind had been received from the Turkish delegation. Finally, in answer to a special appeal by Ismet Pasha, Lord Curzon, after consulting his experts had put forward a final draft. With great difficulty they had succeeded in persuading M. Bonjard and the Marquis Garroni to accept this formula as the maximum concession which the Allies could propose to safeguard the interests of their subjects in Turkey. Now, at the last moment, Ismet Pasha declared that unless the only substantial safeguards which the draft declaration proposed by the Allies contained were omitted, he could not sign the treaty. It seemed incredible that any man in his right senses should adopt such an attitude.

Turning to the economic proposals, Lord Curzon pointed out that the Allies had proposed to omit all the economic clauses in the economic section of the treaty to which the Turks particularly objected and to declare their readiness to discuss them later, and yet Ismet Pasha had duly rejected this proposal and had begun to speak of the economic servitude of Turkey imposed by the treaty. The use of such phrases rendered these negotiations to a farce. If Lord Curzon were now to return to his country when the Allies and Turkey were on the verge of peace, and the two declarations which Ismet Pasha and he had made were published side by side in the English press and examined by the English public no Englishman would be found to support his Excellency in his refusal to accept the Allied proposals on these two points. No one would agree with Ismet Pasha's description of the character of these proposals as a servitude upon Turkey, or believe that it was necessary to break on such questions. Ismet Pasha had made a splendid fight for his country and was winning for Turkey a very good peace. Did he really intend to leave the field owing to his refusal to accept the Allied proposals on the two questions now under discussion? His Excellency had spoken of the enormous concessions made to Turkey. He would ask him to reflect for a moment on the concessions which were being proposed from the side of the Allies. It must not be forgotten that these were in reality concessions made by the victors in the great war which ended in the armistice of 1918. The Allies were offering to return territory held by them and to withdraw their troops from Turkish soil. In the face of these enormous concessions, his Excellency had the power if he had the will, by a stroke of the pen, to secure peace and to open a period of reconciliation. His Excellency was in a position to bring his country back into the vanguard of peoples, and to enable Turkey to take her place once again in the society of nations. Was Ismet Pasha really going to throw this opportunity away? With all earnestness and in all sincerity Lord Curzon begged him, before he left that room, not to throw away the last chance for the peace of the world.

M. BOMPARD wished to associate himself fully with all that Lord Curzon had said. The proposals which Ismet Pasha was now making were incredible. At this moment, and in the face of the manifest desire of the Allies to make every possible concession to Turkey, compatible with justice and honour, it was a crime on the part of Turkey to refuse the Allied offer and peace, and he begged Ismet Pasha once again to reflect on what he was doing.

THE MARQUIS GARRONI also earnestly begged Ismet Pasha to reflect. If to-morrow, the world knew the reasons for which Turkey had refused the Peace Treaty which had been offered to her by the Allies, public opinion all the world over would be shocked that Turkey should thus be playing with human lives for the stakes which were

now at issue, over certain alterations in the draft formulæ of the economic clauses of the treaty. The proposals which the Allies were making as regards the future judicial régime afforded minimum safeguards for Allied subjects. As regards the economic clauses, they were merely pressing for further discussion on some points to which Turkey objected. The judicial safeguards were indeed only for a transitory period of five years. The judicial advisers were to be Turkish servants; Turkey's independent position was entirely safeguarded, and it was a crime to think of making war on such points.

ISMET PASHA replied that for years Turkey had suffered for her independence. And now for months the question of the judicial guarantees had been discussed. What the Allies now proposed was the Capitulations in another form. It was impossible for Turkey to accept them. Only on that very day in a spirit of extreme conciliation he had offered a declaration giving the Allies the promise of foreign assistance in the Turkish judicial system. He could do no more. With regard to the economic clauses, the Allied proposals would deprive Turkey of all economic relief. Turkey could not live under the economic régime proposed. All the great diplomats in the world were gathered together in that room, and they were refusing Turkey peace in spite of all his (Ismet Pasha's) concessions.

THE MARQUIS GARRONI pointed out that the economic and financial régime which was being offered to Turkey was far more liberal than any régime offered to any country which had been beaten in war by the Allies.

M. BOMPARD begged Ismet Pasha once again to reflect. His responsibility was great and terrible.

LORD CURZON pointed out that there was one hour left in which peace could be made.

ISMET PASHA declared that it was impossible to make peace on the terms proposed. The Allies had the will and the power to decide in Turkey's favour.

LORD CURZON begged Ismet Pasha to reflect again. His Excellency could make peace if he wished. He could easily justify what he was doing before his own Parliament if he desired. Lord Curzon knew what public opinion in England would think, and he knew that he would be blamed if, after all the concessions made by the Allies, Turkey still refused peace. Did his Excellency realise what his present decision, if persisted in, might mean? Did it mean that Allied and Turkish soldiers were to begin fighting again? Did it mean that when he (Lord Curzon) had just agreed to make one more concession and to meet his Excellency as regards Mosul, there was to be fighting in the streets of that town? Did it mean that British, French, Italian and Turkish soldiers would be shooting at each other again in the region of the Straits? Was there to be fighting at Chanak, at Ismid, and in the streets of Constantinople? Did it mean that the horrors of Gallipoli were to be renewed? On the verge of peace were blows again to be struck? It was unthinkable. His Excellency (Ismet Pasha) had known the triumphs of war. He had also known its horrors. It was incredible that anyone like he should take this terrific responsibility on his shoulders. Lord Curzon could not imagine any human man in such circumstances, and at such an hour, taking this burden upon himself.

ISMET PASHA said that he well remembered the tragedy of the war. But he knew that he was not now responsible. He had done all that was possible.

M. BOMPARD declared that it was tragic to hear such an answer when Ismet Pasha had before him a draft treaty which placed Turkey on her feet again. His Excellency was refusing peace with all the world. The world outside that room was waiting for the word "yes" from Ismet Pasha. Was his Excellency doing it in order to continue the fight again and desolate the whole of the East over this? He begged Ismet Pasha to reflect again and not to be obstinate.

LORD CURZON asked Ismet Pasha once again to remember the personal concessions which he himself had made to his Excellency. There was the question of the ships requisitioned by Great Britain before the outbreak of war with Turkey. There was the question of Mosul. On both of these questions he (Lord Curzon) would have great difficulty in defending before public opinion the concessions which he had made to Ismet Pasha. He had made them, however, because his Excellency had personally told him that they were the two points on which he considered concessions to be

necessary in order to enable him to sign the Treaty of Peace. When, however, the concessions were made to Ismet Pasha, the latter had raised objections on judicial and economic questions.

Ismet Pasha must understand, however, that if these generous concessions were not now accepted by Turkey, Lord Curzon would be forced to withdraw them all. If the peace, for the purpose of concluding which they were offered, was not secured, these concessions must be taken away and Lord Curzon would never offer them again.

ISMET PASHA declared that it was he himself who had made sacrifices, not the Allies. The Allied delegates could do what they wished, but the English, French and Italian people all well knew how he (Ismet Pasha) had worked for peace, and how at the last moment he was still trying to secure it. He was calm and certain. He knew what war meant, but Turkey could not be deprived of her economic and judicial liberty. He (Ismet Pasha) had conscientiously considered his position and he could go no further.

SIR EYRE CROWE pointed out that Turkey was receiving exactly the same economic status as every other European State who had made treaties since the armistice. Surely the Turkish delegation could not really understand the intention of the economic clauses.

RIZA NUR asked to be allowed to say a few words. The Turkish delegation were not refusing all the economic clauses. They only desired to exclude certain of them for later discussion. Some of the Allied claims had not yet been discussed at all in any sub-commission. How could the Turkish delegation be expected to accept them straight away? It was only recently that the Allies had sent the Turkish delegation a draft declaration regarding judicial Capitulations, and now the Turkish delegation had put in a counter-declaration in reply.

SIR HORACE RUMBOLD pointed out that there were no real safeguards offered to Allied subjects in the Turkish draft declaration.

RIZA NUR replied that the draft declaration offered reforms in Turkish judicial administration and the appointment of foreign advisers.

SIR HORACE RUMBOLD pointed out that the Allied declaration really left Turkey in complete independence in judicial matters. The Capitulations were suppressed and this was stated in an article in the treaty.

THE MARQUIS GARRONI wished to associate himself with what Sir Horace Rumbold had just said. The foreign advisers were to be Turkish—not Allied—functionaries. There was now only a short period left in which to reach a peace. If Ismet Pasha was going to make war about the judicial guarantees for foreigners, when in the treaty the Capitulations were completely suppressed, and when the Allies were only asking for a declaration regarding foreign advisers in the Turkish judicial service and only for a transitory period, there was no man outside that room and outside Turkey who would not condemn the Turkish delegation.

LORD CURZON asked to say one word more to Ismet Pasha. His Excellency knew the views of Angora and he (Lord Curzon) did not. But Ismet Pasha had not justified himself before Great Britain or before the world. Let him consider, for instance, English public opinion. When he (Lord Curzon) came here to conclude peace there was a strong feeling in England in favour of Turkey, in spite of the fact that Turkey had attacked Great Britain in 1914 and was England's enemy. There were many in England who remembered the old traditions of friendship between England and Turkey. Everyone of these wished Lord Curzon to return with a peace generous to Turkey. If, however, his Excellency read English newspapers, he would know that the attitude of the friends of Turkey in England was changing. It had been becoming daily more unfavourable as Ismet Pasha kept demanding everything and refusing everything. When, the day after to-morrow, Lord Curzon was back in London and told England how he had fought, and how at the last moment he had failed and on what he had failed, people in England would say that it was impossible to negotiate with Turkey and that it was impossible to enter into friendly relations with her. The hearts of the people who had been the friends of Turkey would be shut. English purses and English hands would be closed. No one would understand why Turkey had thus refused to resume relations with England. A short time ago his Excellency had said to him that he wanted English friendship. Lord Curzon had believed him. Was Turkey really going to throw away the friendship of England for the sake of the questions now at issue? He begged Ismet Pasha to reflect, not

only on the present situation, but on what the future would bring forth. The future of Turkey was at stake. Turkey was not a self-sufficing country. She could not do without relations with the rest of the world, and the world wished to enter into relations with her, and yet Ismet Pasha was going to inflict this tremendous suffering on his own people.

ISMET PASHA replied that he had spoken in conscientious conviction. If his modest proposals were not accepted, England would to-morrow ask why Lord Curzon could not make peace. It would be known that Turkey had merely refused the judicial and economic proposals of the Allies because they were irreconcilable with Turkey's independence. For Turkey this question was vital. For the Allies it meant little. Why should the work of months be allowed to fail over this? The responsibility rested on the Allies and not on the Turkish delegation.

LORD CURZON feared that there was nothing more now to be done. They had worked for peace for the last two hours.

M. BOMPARD asked Ismet Pasha to remember what Marshal Foch had done in 1918. When Germany was beaten, when the Allied armies were ready to march to Berlin, he had made an armistice rather than continue that march, simply because he wished to save precious human lives. His decision was the decision of a great man, of a man conscious of his duty to humanity. Ismet Pasha was a great soldier and he should reflect on that noble example of a Marshal of France.

ISMET PASHA answered that he realised the greatness of Marshal Foch and the greatness of his action, but he wished to recall Mudania and his own action there. A few months ago he had worked with the Allied generals, and especially with his friend, General Harington, to bring about the situation in which this peace conference might be made possible. They had succeeded.

SIR HORACE RUMBOLD urged that it was now his Excellency's duty to complete what he had begun at Mudania.

RIZA NUR interposed to point out that the Turkish delegation had done all they could. If they gave way further on the points under discussion, the treaty would not be ratified by Angora.

LORD CURZON refused to accept this statement. Only a few days ago Lord Curzon had asked Ismet Pasha whether, if the latter signed a treaty, it would be ratified. His Excellency had said "yes," and had added that if he returned to Angora with a draft which was not signed it would be torn up, but if he returned with a signed treaty it would be ratified without delay.

RIZA NUR replied that Ismet Pasha could only sign something which the Turkish people wanted.

M. BOMPARD pointed out that what Turkey wanted was peace—a generous, just peace such as the Allies were now offering her.

THE MARQUIS GARRONI supported M. Bompard. There was really no substantial difference between the Allies and Turkey.

LORD CURZON observed that it was now twenty minutes to 8. Soon after 9 o'clock he must be in the train. He would ask Ismet Pasha in the short interval before he left to talk the matter over again with his friends. If he could come back in, say, half-an-hour, there might still be time in which to conclude peace. Let him discuss the points again with his friends and his experts. Let him once again reflect. Lord Curzon and his colleagues would then be happy to see him again. Lord Curzon concluded by pointing out that this might be the last time he would ever see Ismet Pasha. He wished to carry back to London a memory of friendship and he would like to sign a common pact of peace and friendship with Ismet Pasha before he left.

At this point Ismet Pasha and Riza Nur rose and took their leave, and the meeting closed at 7·45 P.M.

ANNEX I.

Ismet Pasha to the Marquess Curzon of Kedleston.

Excellence, *Lausanne, le 4 février* 1923.

J'AI l'honneur de vous transmettre, ci-joint, l'exposé des conclusions auxquelles la délégation turque a pu arriver en faisant un effort suprême en vue de réaliser la possibilité de signer la paix dans le plus bref délai.

Veuillez agréer, &c.

ISMET

Mémorandum.

DES négociations ont eu lieu et différents projets et contre-projets, relatifs aux points de vue des deux parties, ont été échangés dans les commissions et les sous commissions au sujet des questions fondamentales concernant la paix qui constitue le but de la conférence.

Nous sommes convaincus qu'à la suite de ce travail on est arrivé aujourd'hui sur les points fondamentaux à une unité de vue suffisante pour établir la paix. En effet, on peut dire qu'il ne reste presque plus de divergence de vue pouvant s'opposer à la conclusion de la paix sur les questions telles que les questions territoriales, financières, sanitaires, celles de nationalité, des minorités, de la dette publique, des réparations, des voies de communication, des prisonniers de guerre, des cimetières, du régime judiciaire, questions qui ont une importance politique capable de sauver la conférence d'un échec. Comme nous le faisons connaître ci-dessous, nous consentons à ce sujet de grands sacrifices pour la seule préservation de la paix et de la tranquillité du monde et avons l'entière conviction que l'opinion publique mondiale de même que les Puissances alliées reconnaîtront l'importance et la valeur de ces sacrifices.

Parmi les questions précitées, celles qui sont d'ordre territorial sont les suivantes :

Nous acceptons la frontière occidentale telle qu'elle est proposée par les Puissances alliées.

Considérant la renonciation par ces mêmes Puissances à la limitation de nos forces en Thrace, limitation qui d'ailleurs n'est pas conciliable avec la souveraineté de l'État, comme une preuve de leurs désirs de paix nous n'insistons pas, afin de montrer encore une fois notre bonne volonté, pour obtenir Kara-Agatche, la ligne de chemin de fer allant de cette localité à Koudéli Bamgas, Direk-dika et en somme notre frontière de 1913.

Renonçant à la fermeture des Détroits, qui, comme de nombreuses expériences l'ont démontré, est historiquement le régime le plus sûr pour la garantie la sécurité de notre capitale, nous avons consenti à ce que leurs eaux soient ouvertes aux navires de tous les pays. En outre, malgré que dans beaucoup de détroits ouverts dont les deux rives appartiennent à une même Puissance la fortification de celles-ci soit d'usage, nous avons consenti à leur démilitarisation.

Nous avons de même renoncé à notre demande relative au maintien d'une garnison dans la presqu'île de Gallipoli.

Malgré que nous ayons reçu une foule de propositions limitant notre souveraineté sur la presqu'île en question, nous avons accepté, dans le seul but de montrer notre désir de conciliation, la proposition concernant la jouissance du terrain déterminé d'Anzac, comme contre-partie de l'acceptation de certaines conditions équitables relatives à la sécurité, en dehors des cimetières, que nous respectons entièrement, soient également acceptées.

Nous avons également accepté la proposition d'établir une administration locale dans les îles d'Imbros et de Ténédos.

Nous acceptons de même intégralement la proposition relative aux îles du Dodécanèse qui jusqu'à présent n'avaient pas figuré à l'ordre du jour de la conférence et au sujet desquelles aucune discussion n'avait eu lieu.

Quant à la question de Mossoul, nous estimons qu'il convient, dans le seul but d'assurer qu'elle n'empêche la conclusion de la paix, de l'exclure du programme de la conférence afin qu'elle soit résolue d'un commun accord entre la Turquie et l'Angleterre dans l'espace d'une année.

Comme on le voit, les questions territoriales et la question des Détroits sont de nature à contribuer à la conclusion de la paix, grâce en partie aux stipulations qui ont été convenues précédemment et en partie aux sacrifices que nous consentons aujourd'hui.

Les questions relatives à la nationalité ont été acceptées par nous entièrement et intégralement, en conformité des demandes des Puissances alliées.

La question des minorités, qui est très importante surtout pour la Turquie, a été résolue selon les désirs des Puissances alliées à la suite de discussions où nous avons toujours fait montre de dispositions conciliantes.

Au sujet des questions financières, nous acceptons d'abord, conformément à la proposition des délégations alliées, le partage de la dette publique en proportion des revenus et ensuite, selon la demande des délégations albanaise et hellénique, que les dettes relatives aux chemins de fer restant à la charge des États sur le territoire desquels se trouvent les lignes en question.

Ce mode de répartition pour les dettes concernant les chemins de fer et le partage proportionnellement aux revenus pour le restant de la dette publique imposent à la Turquie des charges beaucoup plus considérables que celles qui lui auraient été imposées d'après les propositions turques. Mais la délégation turque consent à ce sacrifice uniquement afin de ne pas retarder la conclusion de la paix et ne pas assumer la responsabilité de la guerre pour les pertes qui sont réparables.

Conformément à la proposition qui nous est faite, nous nous contentons de faire une déclaration pour ce qui nous est dû par suite de la part de dette non encore répartie, mais dont la répartition constitue pour nous un droit incontestable confirmé par les Traités de Berlin et de Thessalie, et que les Puissances ont reconnu devoir être mise à la charge des États balkaniques, nous nous réservons la faculté de poursuivre en temps opportun le recouvrement de cette créance.

Nous consentons, selon la proposition qui nous est faite, à faire une déclaration aux porteurs de la dette publique au sujet du Décret de Mouharrem, qui définit la situation de l'Administration de la Dette publique. Nous sommes convaincus que les actes antérieurs du Gouvernement ottoman, qui n'ont jamais cessé d'inspirer pleine confiance aux porteurs, constitueront une confirmation suffisante de cette déclaration. Néanmoins, nous considérons indispensable la suppression de la note explicative de l'Annexe I.

Nous consentons, en outre, à de nouveaux sacrifices en acceptant que les annuités relatives à la part de dette incombant, d'après le présent traité, aux territoires détachés, commencent à courir à partir de l'année 1920.

De même, nous acceptons : la répartition de la dette publique par l'Administration portant le même nom, et la conclusion d'une entente avec cette Administration pour le payement des coupons arriérés.

En outre, nous acceptons que l'Allemagne et l'Autriche ne soient pas représentées dans les organisations financières et économiques en Turquie.

Au sujet de la question des réparations, nous renonçons, uniquement par esprit de conciliation, à la somme en or dépassant cinq millions de livres turques constituant la contre valeur de la première série de papier monnaie émise, ainsi qu'à la somme d'environ sept millions de livres or due à la Turquie à la suite de commandes de navires, soit au total à plus de douze millions de livres or. Nous accueillons avec plaisir la renonciation réciproque des Puissances alliées à la somme de douze millions de livres or réclamées par elles à titre de réparation.

Nous prenons acte de l'acceptation en principe par les Puissances alliées, comme une nécessité de justice, du payement d'une somme suffisante pour la réparation des dévastations causées par l'agression grecque contre la patrie turque.

Les propositions relatives aux voies de communications ont été entièrement acceptées.

Toutes les propositions concernant les affaires sanitaires avaient déjà été acceptées par nous et seule la question du Comité sanitaire des Détroits était restée en suspens, faisant preuve à ce sujet aussi d'un large esprit de conciliation et d'une grande bonne volonté, nous sommes prêts à faire une déclaration relative à notre désir d'engager comme conseillers, dans l'administration sanitaire des frontières turques des médecins spécialistes européens pour une durée de cinq années. Ces conseillers, qui remplaceront le comité proposé, seront plus utiles et pourront rendre de plus grands services que ce comité.

La question des prisonniers de guerre et celles des cimetières ont été également résolues conformément aux désirs des Puissances alliées. Le différend relatif à la question de date survenu au sujet de l'amnistie pour les prisonniers de guerre a été de même résolu suivant le point de vue des Puissances alliées.

En acceptant de faire avec de légères modifications la déclaration qui nous était demandée par suite de l'abolition des Capitulations, nous avons démontré encore une fois notre désir de paix.

Les conditions d'établissement des ressortissants des Puissances alliées en

Turquie et des ressortissants turcs dans les pays alliés ne font pas partie du Traité de Paix et la conclusion à ce sujet d'une convention spéciale, comme cela est d'ailleurs d'usage entre Etats, avait été décidé d'un commun accord avec les délégations des Puissances alliées; mais l'achèvement des négociations engagées à cet effet avait été retardé par suite de la question des Capitulations; d'autre part, les négociations susmentionnées avaient montré qu'il n'existait pas entre les deux parties une grande divergence de vue à ce sujet. La question du régime judiciaire pouvant être considérée actuellement comme résolu, il est évident qu'il n'y aura plus de difficulté à résoudre les quelques divergences relatives à la convention d'établissement et de compétence des tribunaux.

Les clauses fiscales concernant les étrangers peuvent être considérées comme résolues à la suite des négociations et des échanges de vue qui eurent lieu à la commission et à la sous-commission sur la base de l'égalité devant le fisc des ressortissants turcs et étrangers.

Nous acceptons la convention relative au régime du commerce à la condition que l'abolition des Capitulations économiques figure également dans le Traité de Paix, que cette convention ait une durée de cinq années pour les quatre Puissances alliées et d'une année pour les autres Puissances signataires, que la clause relative à la restriction du droit de la Turquie à régler la question du cabotage soit supprimée et qu'enfin le No. 270 de l'Annexe I de la convention en question soit transféré dans la liste des articles soumis au coefficient 12

En plus questions précitées, il y en a d'autres qui peuvent être considérées comme partiellement résolues: il en existe également qui n'ont pas encore reçu de solution.

Si l'on comparait les questions, qui ont été résolues et que nous avons énumérées plus haut et celles qui ne l'ont pas encore été, on verrait clairement que les premières constituent les questions fondamentales et forment les 80 pour cent des questions devant figurer dans le traité. On peut donc admettre qu'il ne reste plus, grâce aux grands sacrifices consentis par nous, aucun obstacle sérieux à la conclusion de la paix

J'ai l'honneur de proposer, en conséquence, de conclure la paix en apposant nos signatures au bas des questions essentielles sur lesquelles l'accord s'est établi Les négociations peuvent continuer par une partie des délégations sur des questions en suspens qui seront résolues ensuite

C'est uniquement dans le but de servir la paix mondiale que la délégation turque a consenti, après une guerre terrible qui a coûté tant de sang et de biens à la Turquie, de très grands sacrifices en ce qui concerne les intérêts essentiels de son pays en se conformant surtout à ceux des désirs des Puissances alliées, auxquels celles-ci attachaient le plus d'importance

La délégation turque nourrit l'espoir que ce résultat une fois atteint, la paix du monde ne sera pas mise en danger pour un petit nombre de questions qui ne sont pas d'ordre vital, ont une importance secondaire et peuvent être résolues par des négociations ultérieures

Les horreurs et les calamités de la guerre sont encore toutes nouvelles et sont connues par expérience des vaincus et même des vainqueurs. La Turquie a fait tout ce qui était en son pouvoir, dépensé toute sa bonne volonté et consenti à tant de sacrifices pour arriver à un apaisement général

Si la conclusion de la paix ne devient pas encore possible, le monde entier comprendra qu'aucune responsabilité ne peut plus incomber de ce chef à la Turquie.

Je désire ajouter également que tous les sacrifices que nous venons de consentir l'ont été à la condition que la paix soit signée; il est tout naturel qu'en cas de non-acceptation de nos propositions, nous ne pourrons nous considérer comme liés par elles.

Questions essentielles sur lesquelles la Paix peut être conclue tout de suite:

Questions territoriales
Nationalité.
Droits des minorités
Clauses financières, dette publique (réparations).
Voies de communications
Questions sanitaires
Prisonniers de guerre, sépultures
Convention concernant le régime des Détroits.
Convention concernant les frontières de Thrace
Déclaration relative à l'administration de la justice en Turquie
Convention relative au régime du commerce en Turquie.
Déclaration relative à l'amnistie.

ANNEX 2.

(Translation.)

Le Gouvernement de Sa Majesté britannique déclare, en ce qui concerne la disposition de l'article 3, alinéa 2, du Traité de Paix, son intention de prier le Conseil de la Société des Nations à ne pas procéder à la détermination des frontières entre la Turquie et l'Irak jusqu'à l'expiration d'un délai de douze mois à compter de la mise en vigueur dudit traité.

La présente déclaration est faite en prévision de la possibilité d'un règlement de cette question au cours dudit délai par les Gouvernements britannique et turc. Elle est expressément subordonnée à l'engagement réciproque que pendant cette période aucun mouvement militaire ou autre n'apportera un changement quelconque dans l'état actuel des territoires en question.

In regard to article 3, paragraph 2, of the Treaty of Peace, His Majesty's Government declare their intention not to invite the Council of the League of Nations to proceed to the determination of the frontier between Turkey and Irak until the expiration of a period of twelve months from the date of ratification of the present treaty.

This decision is taken with a view to a possible settlement of the case in the interval by agreement between the British and Turkish Governments, and is subject to the mutual understanding that during the above period there shall be no alteration, by military movements or otherwise, in the *status quo* in the territories concerned.

ANNEX 3.

Allied Formula regarding Greco-Turkish Reparations.

(Translation.)

Les réclamations du Gouvernement turc contre le Gouvernement hellénique, qui ont été présentées à la conférence, ainsi que les réclamations du Gouvernement hellénique contre le Gouvernement turc, également présentées à la conférence, feront l'objet d'un accord ultérieur à intervenir entre les deux Gouvernements.

En cas de désaccord, la question sera réglée par voie d'arbitrage.

The claims presented to the conference by Turkey against Greece, as well as the claims presented to the conference by Greece against Turkey, shall form the subject of an agreement to be arrived at later between the Greek and Turkish Governments.

In case of disagreement, the matter shall be referred to arbitration.

ANNEX 4.

Turkish Formula regarding Greco-Turkish Reparations.

(Translation.)

Les réclamations du Gouvernement turc contre le Gouvernement hellénique concernant les réparations dans les régions dévastées qui ont été présentées à la Conférence de Lausanne, feront l'objet d'un accord ultérieur à intervenir entre les Gouvernements turc et hellénique.

En cas de désaccord, la question sera réglée par voie d'arbitrage.

The claims presented to the Conference of Lausanne by the Turkish Government against the Greek Government for reparation of damage occasioned in the devastated provinces shall form the subject of an agreement to be arrived at later between the Greek and Turkish Governments.

In case of disagreement, the matter shall be referred to arbitration.

Annex 5.

Draft Declaration regarding Judicial Safeguards for Foreigners in Turkey to be made by Turkey as part of the Final Settlement. This Draft was communicated, with the consent of M. Bompard and the Marquis Garroni, by Lord Curzon to Ismet Pasha on Saturday, February 3.

La délégation turque a déjà eu l'occasion de faire connaître que le Gouvernement de la grande Assemblée nationale de Turquie est en mesure d'assurer aux étrangers devant les tribunaux turcs toutes les garanties d'une bonne justice et qu'il est à même d'y veiller dans le plein exercice de sa souveraineté et sans aucune intervention étrangère. Il n'en est pas moins disposé à faire procéder à des enquêtes et études pour introduire telles réformes que justifierait le progrès des mœurs et de la civilisation.

Dans cet esprit, la délégation turque tient à faire la déclaration suivante :

Le Gouvernement turc se propose de prendre incessamment à son service, pour la période qu'il jugera nécessaire et qui ne sera pas inférieure à cinq années, des conseillers légistes, qu'il choisira sur une liste dressée par la Cour permanente de Justice internationale.

Ces conseillers légistes dépendront du Ministère de la Justice, participeront aux travaux des commissions de réformes législatives et seront spécialement chargés de suivre, dans les villes de Constantinople et Smyrne, le fonctionnement des juridictions civiles, administratives, commerciales et pénales turques, de rechercher que des actions, appels ou pourvois en cassation ou revision soient introduits par le Ministère public contre les actes ou décisions judiciaires qui ne lui paraîtraient pas conformes au droit, et de recevoir toutes plaintes auxquelles pourraient donner lieu soit l'administration de la justice civile, commerciale, administrative ou pénale, soit l'exécution des peines, soit l'application des lois, avec mission d'en rendre compte aux autorités turques compétentes à l'effet d'assurer la stricte observation de la législation turque.

Les visites domiciliaires, perquisitions ou arrestations, sauf dans le cas de flagrant délit, auxquelles les autorités turques dans les cinq inscriptions judiciaires ci-dessus mentionnées auraient à procéder dans les affaires ci-dessus visées, seront pratiquées d'accord avec lesdits conseillers.

Dans les matières correctionnelles et criminelles, la mise en liberté sous caution devra toujours être prononcée, à moins que la sécurité publique n'en puisse être compromise.

Tous compromis et clauses compromissoires en matières civiles ou commerciales sont permis, et les décisions arbitrales ainsi rendues seront exécutoires sur le visa du Président du Tribunal de première Instance, qui ne pourra refuser son visa qu'au cas où la décision serait contraire à l'ordre public.

Counter-draft submitted by Ismet Pasha to Lord Curzon on Sunday, February 4, as the maximum Judicial Safeguards for Foreigners which the Turkish Delegation could offer.

La délégation turque a déjà eu l'occasion de faire connaître que le Gouvernement de la grande Assemblée nationale de Turquie est en mesure d'assurer aux étrangers devant les tribunaux toutes les garanties d'une bonne justice et qu'il est à même d'y veiller dans le plein exercice de sa souveraineté et sans aucune intervention étrangère. Il n'en est pas moins disposé à faire procéder à des enquêtes et études pour introduire telles réformes que justifierait le progrès des mœurs et de la civilisation

Dans cet esprit, la délégation turque tient à faire la déclaration suivante :

Le Gouvernement turc se propose de prendre incessamment à son service, pour la période qu'il jugera nécessaire et qui ne sera pas inférieure à cinq années, des conseillers légistes européens, qui seront choisis par lui parmi les jurisconsultes ressortissants des pays n'ayant pas participé à la guerre de 1914 18, et qui seront des fonctionnaires turcs.

Ces conseillers légistes dépendront du Ministère de la Justice, où ils participeront aux travaux des commissions de réformes législatives et seront spécialement chargés de suivre, dans les villes de Constantinople et Smyrne, le fonctionnement des juridictions civiles, commerciales et pénales turques et de recevoir toutes plaintes auxquelles pourraient donner lieu soit l'administration de la justice civile, commerciale ou pénale, soit l'exécution des peines, soit l'application des lois avec mission d'en rendre compte aux autorités turques compétentes à l'effet d'assurer la stricte observation de la législation turque.

Dans les matières correctionnelles, la mise en liberté sous caution devra toujours être prononcée, à moins que la sécurité publique n'en fût de ce fait compromise ou que la mise en liberté provisoire n'entravât la bonne marche de l'instruction de l'affaire.

Tout compromis et clauses compromissoires en matière civile ou commerciale sont permis, et les décisions arbitrales ainsi rendues seront exécutées sur le visa du Président du Tribunal de première Instance, qui ne pourra refuser son visa qu'au cas où la décision serait contraire à l'ordre public.

La présente déclaration sera valable pour une durée de cinq années.

No. 219.

Mr. Cavendish-Bentinck to the Marquess Curzon of Kedleston.—(Received February 6.)

(Unnumbered.) *Lausanne, February 5, 1923.*
(Telegraphic.) R.

M. MASSIGLI informs me that M. Bompard had a long interview with Ismet Pasha this morning, at which latter accepted formula for régime relating to foreigners in Turkey prepared yesterday by M. Montagna, and agreed that economic clauses in dispute should be discussed later. He added that he would leave for Angora to obtain the assent of his Government to draft treaty subject to above modifications.

I hear that M. Bompard on departing stated that peace was as good as signed, and that he hoped that the Marquis Garroni would dissuade Ismet from proceeding to Angora.

Marquis Garroni spoke to Ismet for an hour and a half, but has neither been able to persuade him to confirm in writing his statement to M. Bompard nor to delay departure, which is to take place viâ Bucharest on 7th February.

Mr. Child has also had two interviews with Ismet with no apparent result.

The Italian, Greek and Roumanian plenipotentiaries are to leave to-morrow, and remainder of Italian delegation will depart on 7th February.

M. Massigli understands that Ismet is about to address him a note enquiring whether conference is broken off or merely suspended, and he has requested me to ascertain your Lordship's views. I have replied that I cannot do so, as I am only here to liquidate accounts of this delegation and must leave for London to-morrow. When note arrives he will therefore request instructions through Minister for Foreign Affairs in Paris.

No. 220.

The Marquess Curzon of Kedleston to Mr. Lindsay.—(Received February 6.)

(Unnumbered.) *Paris, February 5, 1923.*
(Telegraphic.) *En clair.*

THE concluding phases of the Lausanne proceedings were as follows :

After the private conversations between Ismet Pasha and myself on Thursday, which were followed by similar meetings between him and the principal French and Italian delegates, in the course of which he attempted to reopen the whole field of discussion and demanded different things of each interlocutor, my colleagues and I met to consider on what points it would still be possible to meet him. We drew up an entirely new formula as regards the future judicial régime, proceeding to the extreme

limit of concession, and on a number of other points, partly military, such as the withdrawal of any limit upon the number of the Turkish army in Thrace, but mainly financial, we made a considerable advance towards the Turkish contentions. These proposals were summarised in my telegram No. 259. After they had been communicated to the Turkish delegation, at a personal meeting, in which Ismet Pasha appeared to find the greatest difficulty in understanding the simplest financial propositions, I went further. In my anxiety to leave no conceivable excuse for the plea that it was the British Government that stood in the way of peace, I intimated my willingness to assist the Turks in wiping out the 12 millions to which we had already brought down the 15 millions demanded for reparations, in itself an almost incredible reduction from the 100 millions demanded under the same heading in March 1922. This I proposed to do by surrendering the value of the two battleships seized by Great Britain in August 1914, and estimated at 5 millions, and by allowing this to go into a pool for the satisfaction of Allied claims. The remaining 7 millions would be met by the similar use of the 5 millions gold sequestered from Germany and Austria. In this way I calculated that one of the main outstanding objections of the Turks to our terms would be removed, even if it were at the cost of relieving Turkey of an obligation, just in itself and almost extravagantly lenient in its operation, and of treating her in a manner different from that accorded to any other beaten nation in the great war.

The Turkish reply to these proposals, and, indeed, their final answer to the Allied terms, which it was understood that they had spent the greater part of Saturday night in preparing, was not delivered till 1·30 P.M. on Sunday, on which evening the British delegation was due to leave. As a matter of fact, the whole of that day from 10·30 A.M. till 9·30 P.M., as will presently be shown, was spent in meetings of the Allied delegations, or between them and the Turks, in my room at the Beau Rivage Hotel. The Turkish answer was found to be a complete acceptance of the terms, relating to territorial matters, frontiers, Thrace, the islands and the Straits, which had been the subject of the work of my commission. The Turks yielded to the Allied decisions about Karagatch, the Maritza Railway, Imbros and Tenedos, the Gallipoli garrison, and the Anzac graves, but they asked that the decision about Mosul should be postponed for a year to admit of discussion between the British and Turkish Governments. On the other hand, they rejected the formula as regards the future judicial régime for foreigners, and submitted a substitute which eviscerated it altogther and practically left the foreign resident without protection; and they asked for the postponement of the economic clauses of the treaty *en bloc* for discussion at a later date.

The Allied delegates met immediately to consider their reply. I said that, while declining to withdraw the article in the treaty which referred the question of the Irak frontier to the League of Nations, I would be willing to make a declaration to be attached to the treaty, to the effect that His Majesty's Government would consent not to pursue the invitation to the League for the space of a year in order to admit of discussions with the Turkish Government in the interval. Upon the judicial question we decided, and were, indeed, bound, to stand firm. The economic question mainly concerned the French, and I said that I would support M. Bompard in any decision that he might take. After a careful examination, he decided to postpone the question of certain of the economic articles for a period of six months in order to admit of further examination.

This renewed and final attempt at conciliation was followed by the entry of the Turkish delegation to receive the Allied reply. So inconceivable was it thought to be that they should refuse, that every arrangement had been made for signature of a protocol accepting the treaty as amended, and the requisite documents and materials were at hand.

On behalf of the Allies, I made the necessary statement to Ismet Pasha, who was accompanied by Riza Nour and Hassan Bey. After a brief retirement for reflection he accepted my declaration about the Irak frontier. But upon the two other issues he stood firm.

Then ensued for an hour and a half a scene such as can rarely, if ever before, have been seen in a conference chamber, and such as would have been incomprehensible in any company but that of the Turks. Ismet Pasha seemed incapable of understanding the simplest proposition, or of realising the position in which he was about to place his country and himself. I described his refusal of the terms offered to him as incredible. M. Bompard, aroused to unusual passion, denounced it as a crime. Every form of argument, adjuration, warning, request, appeal was

addressed to Ismet without producing the smallest effect. To M. Bompard's reasonable attitude about the economic clauses he would only respond by the assertion that Turkey was being placed in a condition of economic slavery. About the judicial formula he could only repeat with stereotyped monotony the familiar catchwords about Turkish sovereignty and Turkish independence. He presented the appearance of a man hardly responsible either for what he said or did, but kept up to the mark by the forbidding proximity of Riza Nour Bey.

This painful and almost unbelievable scene continued until the time for my departure drew near, and a message had to be sent to the station asking that the Orient Express should be delayed for half an hour in the station. The Turks had now retired in sombre silence, but with a still unbroken obstinacy, to their hotel. They were followed there by M. Bompard and by the Italian and American delegates, who could not believe that such monumental folly could exist in the world or that peace could be destroyed for so petty a stake, and who were resolved to make a final and desperate effort for settlement. I was already on the platform when my colleagues came to tell me that their endeavours had failed, and the train, containing the British delegation, then steamed out. Perhaps the most characteristic sequel was that within the next hour Ismet Pasha twice telephoned to find out whether I had really gone. Like a true Turk, he thought that he could still catch me before I turned the corner of the street in order to have a final transaction over the price of the carpet.

His Majesty's Government will recognise that in the end the result they so much feared, viz., that the break, if it occurred, would take place upon issues for which I was responsible or in which Great Britain was principally concerned, was successfully escaped. All the points for which I had fought had been secured, and the methods pursued in the First Commission had been triumphantly vindicated. It was upon matters of greater importance to the French and Italians than to ourselves that the rupture took place; and there, with a loyalty in marked contrast to that which I had met with at the hands of M. Poincaré and the French, I stood by my colleagues to the end, choosing to return without a treaty sooner than sacrifice the cause of Allied unity to which I had pledged my faith. Furthermore, when during the conversations of the last few days at Lausanne, Ismet Pasha more than once intimated to me that it was with Great Britain that he would like to conclude a separate treaty, inasmuch as we were the one Power whose friendship he desired, I resisted any such appeal on the ground that I was at Lausanne to conclude an Allied and not an individual peace. Had France adopted a similar attitude instead of deserting us at a critical juncture the result might have been very different.

Nevertheless, in closing this series of telegrams, I record the opinion that it will presently be found that the Lausanne Conference has not failed and that the treaty will still be signed.

It remains only for me to add that throughout the eleven weeks of our labours I received the most loyal and able assistance from my fellow-plenipotentiary, Sir Horace Rumbold, whose great local knowledge and experience were invaluable; from Sir William Tyrrell and Sir Eyre Crowe, who successfully acted as my chief advisers; and from the entire staff of the Foreign Office and other Departments represented at Lausanne, whose industry and efficiency were the subject of as much general admiration as they were helpful to myself. Nor were our relations with our colleagues less agreeable. For, although the tactics of the French and Italians, which I have frequently described, were, in my opinion, fundamentally mistaken, and ended, as I had all along predicted, in total failure, the British delegation never wavered in its loyalty to the common cause, nor, while endeavouring to curtail the speed of M. Bompard's too eager movements to the rear, did I ever reproach him with the unpardonable impulse to that strategy which had been communicated by his chief.

No. 221.

The Marquess of Crewe to the Marquess Curzon of Kedleston.—(Received February 6.)

By Bag

(No. 146.) *Paris, February 5, 1923.*
(Telegraphic.)

MY telegram No. 144.

This evening's Paris press follows example set this morning and throws blame for breakdown of conference either on the Turks or on the French Government itself.

The only exception is, of course, M. Jean Herbette, but even he plays his inharmonious tune *en sourdine*, and with a strange and unwonted want of conviction.

M. Bailby, who hitherto has been in the pro-Turkish camp, makes a complete *rolte-face* in this evening's "Intransigeant." He observes that France had, for one moment, contemplated sacrificing her war alliances for Turkish friendship, but all to no purpose, for Turkish intransigence had shown itself, not over British demands, but over the economic and financial clauses of the treaty, which specially interested the French. M. Bompard should have taken the same train last night as your Lordship, for between the two groups of Powers, viz., Angora and Moscow on one side, and London and Rome on the other, the choice of France was made. France happily had remained faithful to the *Entente* in these difficult negotiations, and had thus recognised the loyalty and correctness with which Great Britain on her side had avoided creating any difficulties in the Ruhr undertaking. Efforts would be made to separate France from England, but how could yesterday's lessons be forgotten? No further reliance could be placed on Turkish friendship.

M. Gauvain, in the "Journal des Débats," throws the entire blame for the breakdown on the French Government. He points out that the Turks offered your Lordship a separate peace, which you disdained to accept, while the French delegation continued to implore the Turks for peace. Only one fault remained to be committed, and that was to remain in contact with the Turks in order to obtain from them further negotiations purchased by the surrender of the last remnant of French rights. That would be a supreme humiliation. The lesson to be learnt from yesterday's proceedings was that only firmness and dignity succeeded in the East, and that only on agreement with England would enable a proper settlement of the Turkish question to be obtained.

"Débats" correspondent at Lausanne, in a long pro-English message, observes that the British delegation loyally refused to lend itself to the Turkish manœuvre for a separate peace, although the unfortunate incidents which had occurred at Lausanne and Paris during the last week would perhaps have warranted such a procedure. The Turks had snapped their fingers in the face of France, and had practically offered a separate peace to England. The French Government had just proved to His Majesty's Government that the signatories of the Treaty of London were juridically entitled to sign a separate peace with the Turks without running any risk of reproach, and in fact the recent attitude of the French Government in suddenly breaking the solidarity with the Allies over Eastern policy was a first step in that direction. If Turkey had succeeded she would have held France and Italy at her mercy. When the Orient express left Lausanne last night, observes M. de Lacretelle, it took away with it the only man who could boast at having arrived at Lausanne with a fixed programme and at having left it with any success. France's misfortune was that she had constantly refused to associate herself with his policy in the vain hope that the Turks had come to Lausanne with some other purpose than that of obtaining peace with England.

No. 222.

Senior Naval Officer, Smyrna, to Admiralty.—(Received February 6.)

(No. 55.)
(Telegraphic.) *February 6, 1923.*

FOLLOWING received from Turkish authorities:—

"No ship of war may pass Yeni Kale outward bound after sunset 7th February. Previous letter cancelled. Ships of war over 1,000 tons ordered to [? escape] shortest time possible [corrupt group] not later than sunset 7th February. Commanders of vessels held responsible if defences Smyrna brought into operation after this time."

(Addressed to the Admiralty; Senior Naval Officer, Dardanelles Force; Senior Officer, Third Light Cruiser Squadron; Commander-in-chief, Mediterranean.)

No. 223.

Mr. Henderson to the Marquess Curzon of Kedleston.—(Received February 6.)

(No. 54.)
(Telegraphic.) D. *Constantinople, February 6, 1923.*

I RECEIVED a visit from Adnan Bey yesterday. Though Turkish official circles are much perturbed at developments at Lausanne, Adnan himself showed little alarm. He began, in fact, by expressing utmost satisfaction at solutions having been reached on questions which particularly interested British, such as Mosul, Straits, graves and Karagatch, and followed this up by accusations against French and Italians, which made me remind him that England was no less interested than those two in judicial and economic clauses.

Generally speaking, he gave me impression of being genuinely pleased at the idea that Britain, who might go to war, is appeased, and that Turkey is, as he imagines, left face to face only with France and Italy, who will not.

Adnan raised special objection to clause in article 60 providing for submission of all concessions in favour either of Turks or foreigners to Council of Debt. (I heard from French High Commissioner subsequently that clause had been withdrawn.)

Adnan's chief concern was at departure of entire British delegation. I told him that Turks had been guilty of incredible folly in not signing yesterday, and spoke to him most seriously of danger for Turkey as a result of this obstinacy. He appeared to be under the impression that British might now evacuate Constantinople. I disabused him of that idea and warned him that any such request would be categorically refused. At the same time present situation here could not be prolonged indefinitely, so that unless Turkey wanted war—madness which I could not conceive here capable of—she had better make up her mind to sign as soon as possible.

Failure of conference is attributed to French, and rôle of mediator is now regarded as being in your hands rather than in those of M. Poincaré.

No. 224.

Mr. Henderson to the Marquess Curzon of Kedleston.—(Received February 6.)

(No. 56.)
(Telegraphic.) D. *Constantinople, February 6, 1923.*

MY telegram No. 49.

Italian High Commissioner has received instructions, but my French colleague is still without them.

Director-General of Ottoman Bank informed us definitely yesterday that even if instructed to sell or hand over gold (see your telegram No. 25) he would refuse to do so, and would only yield to forcible measures.

He based this attitude on the grounds that bank is Ottoman institution, that High Commissioners no longer exercise supreme authority in Constantinople, effective Government being that of Angora, and that original sequestration of gold was illegal, inasmuch as it was private property of shareholders of Turkish internal loan.

No. 225.

Mr. Henderson to the Marquess Curzon of Kedleston.—(Received February 6.)

(No. 57.)
(Telegraphic.) R. *Constantinople, February 6, 1923.*

TURKISH press to-day puts entire blame for breakdown at Lausanne on French and Italian delegations. Semi-official Nationalist paper "Vakit" in leading article states that France and Italy are now threatening Turkey. Hitherto they were friends of Turkey and Great Britain was mortal enemy. Rôles now completely reversed. No outstanding questions between Britain and Turkey. Peace between two latter has, it says, been achieved at Lausanne, and Paris now and not London is obstacle. Reaction on above lines, which is apparent here, is very striking.

No. 226.

Mr Henderson to the Marquess Curzon of Kedleston.—(Received February 6.)

(No. 58.)
(Telegraphic.) *Constantinople, February 6, 1923.*

COMMANDER-IN-CHIEF, Mediterranean, informed me to-day that in accordance with Admiralty instructions he was sending additional light cruiser to Smyrna as suitable reply to intimation made by Turkish authorities there that no Allied warships over 1,000 tons would be allowed within the harbour after 7th February.

Allied High Commissioners had already made this morning joint protests to Adnan Bey, through dragomans, against action of Turkish authorities at Smyrna. On learning, however, of Admiral Brock's instructions, I visited Adnan myself this afternoon, and warned him of despatch of further British warship. I told him that Allied Powers maintain position under Mudros armistice, and could not submit to restrictions on movements of their warships, and urged him to notify immediately Turkish authorities with a view to avoiding incidents.

No. 227.

Mr. Henderson to the Marquess Curzon of Kedleston.—(Received February 6.)

(No. 59.)
(Telegraphic.) R. *Constantinople, February 6, 1923.*

ALLIED High Commissioners are addressing joint representations to Adnan on the subject of Greek expulsions. I have made personal strong unofficial protest as instructed.

Preliminary measures for application of Abandoned Property Law to property of Greeks have been cancelled under instructions from Angora, and Adnan undertook to do what he could to stop further expulsions. I fear, however, that his influence is not strong enough to effect much.

In the meantime I have received appeal from Greek Red Cross delegation here on the subject.

There are now 15,000 Ottoman-Greek refugees here and funds of delegation are exhausted.

Delegation asked whether I could persuade Turkish authorities to share in expenses of accommodation, feeding and sanitation.

It is out of the question that Turks will provide money for the purpose. Adnan has promised, however, to instruct Turkish Sanitary Department here to lend its assistance and Turkish shipping company to facilitate landing. Turks have also placed portion of Elimich Barracks at the disposal of refugees.

Can any funds from charitable organisations for refugees be diverted to Constantinople for this purpose?

(Sent to Athens, No. 16, and Lausanne, No. 90.)

No. 228.

Sir R. Graham to the Marquess Curzon of Kedleston.—(Received February 6.)

(No. 23.)
(Telegraphic.) R. *Rome, February 6, 1923.*

FIRST comments of Italian press lay chief blame for breakdown of Lausanne negotiations on Turks, to whom widest concessions had been granted. Change of Turkish attitude is generally attributed to French action, which is adversely criticised.

Lausanne correspondent of "Tribuna" says that chief causes of failure have been error of treating the Turks by methods of Western diplomacy and not allowing Lord Curzon's established expert knowledge of Moslem mind a freer hand in defending Allied interests at conference. Only gainers, adds "Tribuna," have been Veniselos and Chicherin.

"Mondo" says that England, especially in later stages of conference, showed great moderation together with great resolution. French claim to make separate peace is equivalent to denunciation of 1914 alliance, and will give England the right to exercise [?equal] liberty.

E 1514/1/44] No. 229.

Note by Sir Eyre Crowe.

THE French Ambassador having addressed a short note to Lord Curzon, in which, on instructions from his Government, he asked for the consent of His Majesty's Government to a formula, under which the Allies would express their willingness to continue the discussions with Ismet Pasha, terminated on Sunday owing to the Turkish refusal to sign the treaty of peace, asked for a personal interview, at which he desired to discuss this French proposal.

Being, unfortunately, confined to bed by illness, Lord Curzon requested me to receive the Ambassador in his place, and gave me his directions as to the statement which I should make to him.

The Ambassador accordingly called early this afternoon. I expressed to him Lord Curzon's regret at his inability to receive him, but said that I was in a position to tell him exactly what Lord Curzon would have said to him if he had not been prevented by his illness. I informed him that neither His Majesty's Government nor Lord Curzon felt any particular inclination to agree to a proposition from M. Poincaré for the further continuance of the conference, because, in the first instance, they attributed to M. Poincaré's recent inopportune and uncalled-for intervention the apparent rupture which had taken place at Lausanne; and, secondly, because M. Poincaré had thought fit, in his memorandum of the 4th instant, communicated to Lord Crewe, and by him handed to Lord Curzon in Paris yesterday morning, to address the latter in language of which his Lordship had never before been the recipient as Secretary of State, and which he would tolerate neither from M. Poincaré nor from any one else. To that memorandum, which, apart from its rudeness, contained a gross travesty of the course of events at Lausanne, Lord Curzon would reply in due course. For the moment, all that he would say in this connection was that, whilst M. Poincaré had, at the most critical moment, broken away from the Allied unity of action, to which he had been pledged, Lord Curzon, on the contrary, had strictly adhered to it to the end, and that it was because of Lord Curzon's unflinching loyalty to the French cause and to M. Bompard, in the face of the most extreme provocation to take an opposite course in respect of matters which concerned the French even more than they did ourselves, that the failure to conclude peace had been due.

Almost at the very moment when M. Poincaré was claiming the right to enter into separate negotiations with the Turks, Lord Curzon had received overtures from the Turks to enter into separate negotiations with them. These facts were already widely known in Paris, and were commented on in the French press; it would not be long before they would equally be known to our countrymen.

As regards M. Poincaré's particular request, I explained that His Majesty's Government were unable to agree to any formula, which would imply that the conference would be resumed on the basis of further Allied concessions. The next step now clearly lay with the Turkish delegation. It could not be taken by the Allies without suggesting that a further process of concession was about to begin. His Majesty's Government were of opinion that Ismet Pasha should be informed that any statement or representation which he cared to make to the secretary-general of the conference (still at Lausanne) for communication to the Allied Powers would be officially received by M. Massigli, and by him forwarded to the Powers concerned, at whose hands it would receive due consideration.

I added that, according to the statements which had appeared in the press, on the authority of M. Bompard, Ismet Pasha had accepted the Allied terms. If this were so, nothing would be easier than for Ismet Pasha to make the suggested declaration. I was, however, not at all clear on this point. The French Counsellor of Embassy had this morning made a verbal communication at this Office, which left me in considerable doubt as to what exactly was the view of the French Government as to Ismet Pasha's disposition, and as to the course which they proposed should now be pursued by the Allies. According to M. de Montille, the French Government had ascertained that Ismet Pasha had decided to leave Lausanne to-morrow morning at 7 o'clock, but that he would not go if he could be assured that the Allied Governments were prepared to sign the treaty, which he refused on Sunday. The French Government therefore begged to be informed at once that His Majesty's Government were ready to sign the treaty. This would enable the French Government to tell Ismet Pasha, in time to stop him from going off to Angora. I did not foresee that any of the Allied Governments

would refuse to put their signature, even now, to the treaty in the form in which the Turks had finally rejected it; although Lord Curzon had, at the moment of that refusal, declared that in view of it he withdrew all the concessions he had made.

But the rest of the communication made by M. de Montille was in absolute contradiction with the above suggestion, for he proceeded to specify the actual instruments which would accordingly have to be signed. He enumerated them as follows:—

> The text of the general conditions of peace, as settled on Sunday last, including the last concessions made by the Allies (with the omission, however, of artices 71-117, constituting Part III of the treaty, and comprising the economic clauses, which were to be the subject of a separate negotiation later on), special conventions respecting the Straits, the frontiers, Greece and Thrace, commerce and navigation and accessory acts.
>
> The judicial declaration to be made by the Turkish Government in the form in which the Turkish delegates had finally presented it, with certain amendments proposed at the last moment by Signor Montagna, the second Italian plenipotentiary, which Ismet Pasha had now agreed to accept.
>
> The convention respecting the status and position of foreigners, with certain slight amendments, with which it was suggested that the Legal Adviser to the British delegation was familiar, but of which, in fact, Mr. Malkin had since told me he knew nothing.

I pointed out to the Ambassador that this description of the documents to be signed was not compatible with the previous statement that the Turks would sign the treaty in the form in which they had on Sunday last refused it. The omission of the economic clauses had been demanded by the Turks, but had been refused by the unanimous decision of the Allies. M. Bompard and the Marquis Garroni, supported by all their experts, having declared it to be absolutely impossible to concede the point, all that it was found possible to offer to the Turks by way of concession was a stipulation that a certain specified number of the articles in Part III of the treaty should be declared to be open for revision within a period of six months. What therefore was now proposed was that the Allies should sign, not the treaty in the form in which the Turks had refused to sign, but in the form in which they had insisted it should be signed—in other words, a complete surrender to the Turks on matters held to be vital by the unanimous opinion of the Allies. As regards the judicial declaration, the Allies had gone to the extreme of concessions in the draft finally presented to the Turks. The Turkish answer had been that they would sign a declaration from which every single point of importance in the Allied draft had been eliminated. It was this latter truncated declaration which we were now asked to express our readiness to accept, subject to certain amendments, stated to have been made by the Italian plenipotentiary, but respecting the scope or the text of which the British Government had no information whatever. In the same way, they were asked to agree to amendments in the convention on the status and position of foreigners, of which they did not know the purport. I asked the Ambassador whether he could explain these discrepancies and contradictions.

He was unable to do so, and produced a paper, from which he proceeded to read to me merely a repetition of the above communication made by his counsellor this morning. He said that, in his opinion, the essential factor was that the French Government were prepared to make the further concession asked for by the Turks, both as regards Capitulations and as regards the economic clauses, and he urged that, as these parts of the treaty concerned French interests very much more nearly than British interests, the British Government ought not to place themselves in the position of wrecking the treaty by obstinately holding out on points of comparatively minor importance to ourselves, when France was ready to yield. He felt sure that the world would not understand how Great Britain could adopt such an attitude. I said I must take the strongest objection to this statement, which sounded to me like a menace, and of a very unfriendly character. I must ask him to allow me to say that our interests in these matters were by no means negligible, and, if we held that the vital interests of British subjects involved ought not to be sacrificed, we had taken this line in absolute reliance on the most positive and categorical assurance from the French and Italian delegations that they, on their part, and their Governments, considered it absolutely impossible to give way in this matter. Lord Curzon had clearly and deliberately put it to those two delegations before the final interview with the Turks, whether this was their last word, pointing out that it would not do, at this

concluding stage of the negotiations, to tell the Turks that, on this point, further concessions were out of the question, unless he could rely on this declaration being upheld by all the Allies acting together. It was on their assurance that no other course was possible that the Turks were finally informed that, on the subject of Capitulations and the economic clauses, the last word of the Allies had been spoken. In these circumstances, for the French Government to intimate that, if the British Government adhered to so solemn an engagement, entered into with the French and Italian delegations, they would be denounced to the world as thereby jeopardising peace, in opposition to the conciliatory attitude of France and Italy, was adopting a position which could hardly be described as anything else than a determination, whatever happened, to throw the blame for the failure of the treaty on Great Britain. It was a most unfriendly manœuvre, and a very peculiar reward for the steady and unwavering support which the British delegation had throughout the conference given to the French delegation, and in no matters more faithfully than in these very questions in which French interests were said to predominate. As the French Ambassador reiterated both his suggestion that we should yield and again spoke of the bad impression which would prevail if we did not yield, I said that, if the French Government were to make or inspire attacks on the British Government, as regards our attitude in this question, His Majesty's Government would know how to defend themselves. They would not hesitate to tell the British Parliament and the British public exactly what had happened, not only on this particular point, but as regards many other things at the Lausanne Conference.

For the present, however, I said the important thing was that we should know with greater precision what the French Government proposed, and, at my request, the Comte de Saint-Aulaire promised to ascertain, if possible by telephone, from Paris particulars on the several points to which I had called his attention.

E. A. C.

Foreign Office, February 6, 1923.

No. 230.

Mr. Henderson to the Marquess Curzon of Kedleston.—(Received February 7.)

(No. 61.)
(Telegraphic.) D. *Constantinople, February 6, 1923.*

MY telegram No. 58.

I have just received from Adnan Bey copy of telegram from Reouf Bey confirming demand that all foreign warships of more than 1,000 tons must leave Smyrna before midnight, 7th February. Covering note does not state whether telegram was sent for communication to High Commissioners or merely for Adnan's information.

In the meantime Turkish authorities at Smyrna have informed Senior Naval Officer there that arrival of light cruiser despatched to-day from Constantinople will be resisted. Commander-in-chief, Mediterranean, has proposed to Admiralty to warn Smyrna authorities that if British warships are interfered with town will be bombarded.

French admiral is also sending additional ship from here to Smyrna, but it is under 1,000 tons and will not arrive till to-morrow afternoon. The intention possibly is to be on the safe side, with a view to replacing existing French warship by one of category authorised to remain in harbour.

No. 231.

The Marquess of Crewe to the Marquess Curzon of Kedleston.—(Received February 7.)

(No. 148.) [By Bag.]
(Telegraphic.) *Paris, February 6, 1923.*

YOUR telegram No. 48.

Note from French Government (copy of which goes to you by bag) states that only information which has reached them is of a concentration of Turkish troops north of Nissibin comprising three infantry regiments, one cavalry regiment and four

batteries. Any further information received from French Army of the Levant will be at once communicated to War Office through French military attaché in London. Also, arrangements have been made locally for daily news telegram to be sent from Beirout to Bagdad.

Note confirms assurance given by M. de Montille on 17th November, 1921, and adds that instructions were given as long ago as December last for French troops to resist any violation of Syrian frontier which may be attempted by Turks with a view to attacking Mesopotamia.

No. 232.

The Marquess of Crewe to the Marquess Curzon of Kedleston.—(Received February 7.)

(No. 151.) By Bag.;
(Telegraphic.) *Paris, February 6, 1923.*

M. TARDIEU, in an article headed "French Defeat at Lausanne; Cowardice does not Pay," continues in the "Echo national" his attacks on M. Poincaré's Eastern policy. He points out that the Turks finally gave in on all points to the English, who had to a certain extent stood up to them, but had reserved all their intransigence for the French, who, since the summer of 1921, were at their feet; thus showing the failure of the policy of cowardice practised by MM. Franklin-Bouillon, Briand, Poincaré and Bompard. Even after the breakdown at Lausanne, for which the Turks by a refinement of contempt wished to throw the entire discredit on to France, the same men and the same newspapers, who imposed on the pusillanimity of MM. Briand and Poincaré, the abdication of Angora the retreat from Cilicia, the desertion of Chanak, the surrender at Mudania, and the capitulation at Thrace, blamed the negotiators for the breakdown which they had failed to foresee, and demanded the continuation of the negotiations under the heel of Mustapha Kemal. To conceal their game, they cried "Beware of war!" but there was no more danger of war for France now than there was at Chanak or at Mudania. The only way of creating that danger was to convince the Turks by running after them that they could do anything they liked. The news given last night in semi-official circles regarding M. Poincaré's intentions was most disquieting. Parliament, which had for the past year and a half been made to applaud and ratify all these follies, was now occupied in another direction, which was lucky for those responsible. When the hour struck, however, for accounts to be settled, the judgment would be severe.

M. Herbette, in the "Temps," declares that the French Government await the reply of His Majesty's Government, whom it had informed that the question of Capitulations was settled with the Turks, and whom it had requested to sign peace as soon as possible. Although France had strictly the right to treat separately with the Turks, she much preferred peace to be signed by all the Allies together, and she had loyally defended at Lausanne the essential claims of England. The Turkish delegation should, moreover, not be astonished at the Allies being united, for their attitude on 3rd February had proved the necessity of that union. If His Majesty's Government were later to conclude peace under the conditions indicated, it was hoped that they would send, without delay, a plenipotentiary to Lausanne, as your Lordship had expressed your intention to M. Bompard. The treaty could then be signed with the least possible delay, provided that the Turkish delegation continued to accept the texts as at present drafted (the question of judicial guarantees was solved by the text proposed by Signor Montagna). The intentions of the French Government could not be notified to the Turkish delegation officially until France received a favourable reply from England, but Ismet Pasha would be kept informed by one of his colleagues who left Paris for Lausanne to-day. He would therefore be able, if he wished, to adjourn his departure for Angora. It would seem that nothing had been neglected on the French side to prevent a rupture, and to conclude a definite peace in the East. If, unfortunately, peace should not be signed, and if war broke out again, France would not be responsible in the matter.

M. Gauvain, in the "Journal des Débats," observes that it was sufficient for your Lordship to leave Lausanne for the Turks, uneasy at the effect of their indecent attitude, to protest their firm intention to sign the treaty. Even before M. Bompard took the train for Paris, Ismet expressed his desire to adhere to the debated clauses on the judicial régime. At the same time his friends in Paris hastened to the Quai

d'Orsay to say there had been a misunderstanding, and that the treaty would be signed. A good opportunity had been lost for showing that France could not be mocked with impunity, but the French Turcophiles had fallen into the arms of Angora, and had entered upon an offensive against your Lordship, for in their eyes the man responsible for the rupture was not Ismet, who had snapped his fingers at the French, but your Lordship, who had declined the offer of a separate peace, and who had given an example of inter Allied loyalty and dignity by refusing to lend yourself to manœuvres intended to separate England from France. M. Gauvain demands that, in view of the suspension of the Lausanne negotiations, the Parliamentary Foreign Affairs Committees should assemble in order closely to examine the judicial, economic and financial clauses of the draft treaty, and to see that French interests are not definitely compromised, and that Parliament is not faced with a *fait accompli*.

M. de Lacretelle telephones from Lausanne that His Majesty's Government will doubtless place no obstacle in the way of signing peace, as they had received satisfaction and as the judicial system in Turkey did not possess in their eyes the same importance, since they had been able to observe that the prestige of the British Empire had come out not only intact but enhanced from the Lausanne negotiations.

No. 233.

Sir A. Geddes to the Marquess Curzon of Kedleston.—(Received February 7.)

(No. 59.) *Washington, February 6, 1923.*
(Telegraphic.)

SECRETARY of State, in the course of informal conversation, has asked me with great earnestness if there is anything that His Majesty's Government can suggest that United States Government might do to ease the situation on the Continent or in Asia Minor.

This, of course, means anything that United States Government can do which will not involve American military action or their taking a position which might later compel them to take military action.

I think what Secretary of State has vaguely in mind is some form of mediation leading to arbitration of points at issue, the mediation to be undertaken when an opportune moment arrives.

At least this is gesture of goodwill, and there can be no doubt that since terms of debt funding were announced there is a great growth of public sentiment in favour of some form of Anglo-American co-operation.

No. 234.

Mr. Henderson to the Marquess Curzon of Kedleston.—(Received February 7.)

(No. 62.)
(Telegraphic.) D *Constantinople, February 7, 1923.*

MY telegram No 61.

Allied High Commissioners decided to request Allied admirals to join in following identic message to our naval and civil authorities, Smyrna:—

"Inform Turkish authorities—

"1. That Allied High Commissioners are in relations with Government at Angora on the subject of incident that has arisen;

"2. That pending instructions which they will receive as a result of these pourparlers Turkish authorities must be held responsible for consequences of any act of hostility; and

"3. That no movement of ships will take place before Allied authorities have received fresh instructions."

No. 235

Mr. Henderson to the Marquess Curzon of Kedleston.—(Received February 7.)

(No. 63.)
(Telegraphic.) D. *Constantinople, February 7, 1923*

MY immediately preceding telegram.

Acting consul-general, Smyrna, telegraphs that Allied and American representatives there are protesting to Governor-General this morning against demand, which must be regarded as hostile act which cannot be complied with without sanction of respective Governments.

Adnan Bey was in communication last night with Reouf Bey, who appears to have fully concurred in undesirability of precipitate action, but to have been unable to get into touch with Chief of Staff, on tour at the front, by whose orders demand was made. Adnan insisted, however, on necessity of the Allies ultimately complying with demand.

French High Commissioner has given instructions for French colony at Smyrna, about 2,000, to be embarked. Size of Italian colony of 12,000 alone precludes Italians from taking similar action.

French High Commissioner informs me Colonel Mougin reports Angora to be in state of great exaltation and excitement. There is no doubt feeling in Anatolia is very different from here, and risk of incident as a result of extremist action cannot be discounted.

On the other hand, any yielding to Turkish demand would merely encourage Turks to go one step farther and request evacuation of Constantinople.

It would be desirable to have definite instructions as to whether, if French and Italian warships leave Smyrna, British warship should leave also or remain.

No. 236

Commander-in-Chief, Mediterranean, to Admiralty.—(Received February 7.)

(No. 795.)
(Telegraphic.) *February 7, 1923.*

TEXT of identic note from Allied admirals to their representatives at Smyrna :—

" Inform the Turkish authorities (1) that the Allied High Commissioners are in communication with the G.N.A.T. on the incident which has arisen; (2) the Turkish authorities will be held responsible for any hostile act. No movement of warships is to take place before you receive fresh instructions."

(Addressed to Admiralty; Senior Naval Officer, Smyrna; Senior Officer, Second Light Cruiser Squadron.)

No. 237

The Marquess Curzon of Kedleston to Mr. Henderson (Constantinople.)

(No. 30.)
(Telegraphic.) D. *Foreign Office, February 7, 1923.*

YOUR telegrams Nos. 61 to 63 of 6th and 7th February: Allied warships at Smyrna.

By agreement with French Government, naval authorities of both countries are being instructed that Turkish summons cannot be accepted, and that ships are not to withdraw to-night. If attacked they are to defend themselves.

" Curaçoa " will reach Smyrna at dawn 8th February.

[E 1660/1/44] No. 238.

Note by Sir Eyre Crowe.

THE Italian Ambassador came to see me this afternoon. After beating about the bush in a general and rather incoherent way, he came to what was evidently the point of the communication he was instructed to make, by saying that he had noticed in the English press various indications of dissatisfaction felt in England with Italy's attitude at the Lausanne Conference. He said M. Mussolini was somewhat disturbed at what he could only attribute to a complete misunderstanding of Italy's attitude towards the Turkish question. The Italian delegation at Lausanne had throughout acted with the strictest loyalty to the programme of united Allied action, which had been settled at the meetings in Paris. The Marquis Garroni had consistently pursued the policy of close co-operation with the Allies, which had been prescribed, and it was inconceivable that there should be any ground for complaint against the Italian delegation on this score.

The Ambassador continued to expatiate on this subject for a considerable time, growing more and more emphatic as to Italy's scrupulous adherence to the policy which the Allies had decided to pursue in common, and finally asked whether there were any particular matters in which we thought we had a complaint to make against his Government, in relation to the Lausanne Conference.

I asked the Ambassador why he put these questions to me. I said that, so far as I knew, we had formulated no complaints against Italy's attitude. Lord Curzon and the British delegation at Lausanne had made every effort to preserve, in face of the Turks, a united Allied front. The failure to arrive at a definite settlement last week was immediately due to the Turkish refusal to agree to the terms respecting Capitulations and economic arrangements, in the negotiation of which the Italians and French had taken the leading part, and in which they received the full and invariable support of their British colleagues. It was true that, in all the subjects dealt with in Lord Curzon's commission, the Turks were finally induced to come to terms acceptable to the Allies. I was revealing no secret if I observed that the methods adopted in the two other commissions were very different from those by which Lord Curzon, in the First Commission, brought things to a successful conclusion. Nevertheless, the British plenipotentiaries never failed to give their most unvarying support to their Italian and French colleagues, regarding matters specially dealt with by them. In so far as Lord Curzon had at times criticised the views of his Italian and French colleagues as regards the methods of dealing with the Turks at the conference, he had done so quite openly. He had sincerely deplored what he thought were instances of unnecessary weakness, shown by his colleagues, and reluctance to stand by arrangements arrived at between the Allied delegations, in dealing with the dilatory tactics of the Turks.

I added, as coming from myself, that I could not personally but feel deeply shocked by the degree of, to my mind, almost indecent fraternisation, which went on day by day between the Italian and the Turkish delegations. But we had never made any complaint about it, and it was not for me now to make any complaints. Outwardly, at least, the complete unity of the Allied delegations had been maintained up to the end. I did not feel called upon to say anything more.

It was quite evident that the Marquis della Torretta had an uncomfortable feeling that there was a good deal that I might have said, which I did not say; and I carefully refrained from doing anything which would set his mind at ease on the subject.

The Ambassador then passed on to the subject of the proposed conclusion of an agreement between Italy, France and Great Britain, which would in some way fill the place left vacant by the disappearance of the old Tripartite Agreement. He said M. Nogara had come to a definite understanding with the French, and the terms so agreed upon would be shortly communicated to us, with an invitation that we should join in. I said that I must reserve any observations on the subject until we saw exactly what was proposed.

The last subject touched upon was the French action in the Ruhr. The Ambassador said that his Government felt drawn more closely to our point of view than to that of the French, and they hoped that the moment would soon come when Great Britain and Italy would be able, by action whether at Berlin or at Paris, to help to bring about a solution. I said that this remark filled me with some astonishment, for it was not many weeks ago that I sat with the Marquis della Torretta at

the conference table in Paris, when very ostentatiously, and contrary to what I had been led to expect from assurances he had given me, Italy declared herself solidly with France, and indulged in what seemed to me a most unfriendly criticism of the attitude of the British Government. I therefore found it difficult to understand in what way Italy and Great Britain were now to co-operate in this matter. Italy had chosen very deliberately to place herself at the side of, and to encourage, French policy in the Ruhr, which, as we explained at the time in the most friendly, but also the firmest, manner, was, in our opinion, fraught with the most disastrous consequences. It was a little late in the day now for Italy to try to dissociate herself from what she had then so fatally embraced, but I said I had, owing to my absence at Lausanne, not followed the events in the Ruhr of late with the same attention which I had formerly given them, and I felt unable at the present moment to express any opinion as to what might now be open to Powers to do, which found themselves placed in the position in which my country and Italy stood.

E. A. C.

Foreign Office, February 7, 1923.

[E 1655/1/44] No. 239.

Report by Mr. Bentinck.

THE following is a record of the events which took place in Lausanne after the departure of the Secretary of State together with the British delegation:

On returning to the hotel from the railway station, I heard that the Turkish delegation had telephoned to enquire whether Lord Curzon and the whole British delegation had really departed; the hotel manager had replied that only myself was remaining for twenty-four hours in order to clear up accounts, &c. At about 10·30 P.M Rechid Safvet Bey telephoned to me and enquired whether it was true that Lord Curzon and the whole British delegation had really left, as he had heard rumours that such was not the case. On my informing him that I was the only member of the British delegation remaining in Lausanne for a further twenty-four hours merely to pay bills and clear up, he expressed great surprise and dismay, and said that if he had only been certain that Lord Curzon was leaving he would have come down to the station to say good-bye; he also expressed the desire that Lord Curzon should be informed accordingly.

Very late on Sunday night Ismet Pasha made the lengthy statement to the press representatives which was reported in my telegram sent through Paris by telephone on the morning of the 5th February.

On the morning of Monday, the 5th February, M. Bompard had a long interview with Ismet Pasha, at which the latter stated though, so far as I can discover, in no very definite terms, that he accepted a formula for the judicial régime relating to foreigners in Turkey, which had been evolved on the previous day by M. Montagna and that he agreed that the economic clauses of the treaty which were under dispute should be settled by agreement at a later date. Ismet Pasha, however, informed M. Bompard that he must leave for Angora in order to obtain the assent of his Government to the draft treaty.

M. Bompard left Lausanne at 1·15 on Monday, the 5th February, and stated to those who saw him off at the railway station that peace was as good as signed, and that he hoped that the Marquis Garroni would dissuade Ismet from proceeding to Angora and would prevail upon him to remain in Lausanne and to sign the treaty there. M. Bompard was, I believe, particularly desirous of showing that he had accomplished on Monday morning that which Lord Curzon had failed to do on the previous day. This feat however he certainly did not succeed in performing.

In the afternoon of Monday, Marquis Garroni had a very long interview with Ismet Pasha, but was neither able to persuade him to confirm in writing his statements to M. Bompard nor to remain in Lausanne and sign a treaty; I am inclined to believe that the Italian plenipotentiaries spared no effort with this object and I am told that the Marquis Garroni demeaned himself so far on Sunday evening as to visit M. Chicherin at his hotel and beg him to persuade Ismet Pasha to agree to the draft treaty of peace. This humiliating visit, as might well be expected, brought no result other than to cause considerable cynical amusement to M. Chicherin.

Ismet visited Mr. Child twice on the 5th February, but the latter was unable to persuade him to agree to the terms which had been offered, although he informed me that he had spoken to Ismet Pasha very plainly. This failure of Mr. Child to bring Ismet Pasha to reason may be due to the fact that, whilst he has been speaking in one tone to him, certain members of his delegation have been speaking in a very different sense to other Turkish delegates. I have very good reason to believe that Messrs. Gillespie and Wheeler on the instructions of Admiral Bristol have advised the Turkish delegation not to agree to the terms offered to them. Mr. Gillespie was heard to express the hope that the Turkish delegates would not sign "that British peace." I am also inclined to believe that whilst on Sunday evening Mr. Child and Mr. Grew were trying to bring Ismet Pasha to reason, Mr. Gillespie was speaking to the other Turkish delegates to a very different effect.

Ismet Pasha did not make up his mind definitely whether he would leave until 11 P.M. on Monday evening, when he telephoned to Mr. Child and informed him accordingly. Before leaving on Tuesday morning, Marquis Garroni and M. Montagna again tried whether their blandishments would have any effect on the Turkish plenipotentiaries, but I gather that they did not succeed in accomplishing much before they left at mid-day for Rome.

M. Veniselos and M. Caclamanos together with the Greek delegation left for Paris at 1·15 on Tuesday; the remaining plenipotentiaries were due to leave on the same day and I understand that Mr. Child also left for Rome on Tuesday.

The Italian delegation, with the exception of the two plenipotentiaries who had already left, were due to depart on Wednesday, the 7th February, but I should not be surprised if two or three of the senior members did not remain behind in order to know how to such Turks as may be left by Ismet Pasha in Lausanne.

The Italian delegation were most anxious that I should remain as a sign that the conference was not broken off, but only suspended, and that I should try to persuade the Secretary of State to send out a senior member of the delegation to keep in contact with the Turks; I replied that if I remained I should be acting contrary to all orders, and that I was not in a position to persuade the Secretary of State to send out anybody to Lausanne. M. Massigli was also anxious that I should remain with the secretariat and suggested that if I stayed, as I had previously arranged to do, at Gstaad I should be within telephone call and could therefore be almost regarded as still at Lausanne; this confirmed my suspicion that I had better not spend two or three days on leave at Gstaad as I had previously arranged to do.

Before I left at 1·15 on Tuesday, the 6th February, Ismet Pasha had not yet addressed a note to M. Massigli enquiring whether the conference was broken off or merely suspended as was foreseen in my second telegram of the 5th February, and I am inclined to believe that the Italian delegation have prevented him from making this question, fearing that the reply of His Majesty's Government on this subject might not encourage the Turks to remain on at Lausanne in the hopes of obtaining further concessions.

V. C. BENTINCK

February 7, 1923.

E 1588/217/44] No. 240.

Déclaration aux Porteurs de la Dette publique ottomane.—(Received in Foreign Office, February 8.)

LA délégation turque à la Conférence de Lausanne, agissant au nom du Gouvernement de la grande Assemblée nationale de Turquie, et autorisée par cette Assemblée, déclare que les cessions, affectations et toutes autres dispositions stipulées dans le Décret de Mouharrem et les décrets-annexes en date des 1er/14 septembre 1903 et 24 avril/7 mai 1911, ainsi que dans tous les autres contrats et accords relatifs aux emprunts et avances conclus par le Gouvernement de l'ancien Empire ottoman, sont entièrement confirmées et maintenues en vigueur en tant qu'elles n'ont pas été modifiées par le Traité de Paix entre les Puissances alliées et la Turquie, notamment en ce qui concerne la répartition de la Dette publique ottomane.

En conséquence, et notamment, la délégation turque déclare que, le 1er mars 1923 au plus tard, l'Administration de la Dette publique ottomane se trouvera, sur tout le

territoire soumis aux lois turques, pleinement rétablie dans l'exercice des droits et attributions à elle conférés par lesdits décrets, contrats et accords.

Le premier Délégué,
Ministre des Affaires étrangères du Gouvernement
de la grande Assemblée nationale de Turquie,
ISMET.

(*Observation.*—Cette déclaration, adressée au président du Conseil d'Administration de la Dette publique ottomane, sera notifiée par lui aux syndicats des porteurs anglais, français et italiens et aux établissements avec lesquels ont été contractés les emprunts et avances.)

Lausanne, le 2 février 1923.

[E 1587/1/44] No. 241.

Mr. Child to the Marquess Curzon of Kedleston.—(Received in Foreign Office, February 8.)

Special Mission of the United States of America,
Lausanne, February 4, 1923.

Dear Lord Curzon,

IN the draft treaty between the Allies and Turkey we find that certain provisions among the economic and financial clauses are open to an ambiguous interpretation and might be construed in a way to work injustice to various private and national interests. Adequate opportunity was not afforded us to express our point of view on these provisions before they were drawn up and incorporated in the draft, and we have some anxiety with regard to them.

We feel, however, that the difficulties could be ameliorated if another clause were inserted in the draft treaty providing in blanket form that all conflicting claims between private or national interests to which the aforesaid clauses purport to apply should first, as a superior right, be subject to settlement by arbitration in order to give full justice to all.

I turn to you first rather than to others to safeguard this important point, and I will be grateful to know from you that I have not brought an unwelcome matter to your attention.

Sincerely yours,
RICHARD WASHBURN CHILD.

No. 242.

The Marquess of Crewe to the Marquess Curzon of Kedleston.—(Received February 8.)

(No. 152. Confidential.) [By Bag.]
(Telegraphic.) *Paris, February 7, 1923*

I HEAR that M. Poincaré is very irritated at attacks in French press on his Eastern policy of surrender. He yesterday told a leading member of Havas Agency that in his opinion M. Philippe Millet and "Pertinax" had been bought by England. This was repeated to them, and they are naturally furious. What annoyed him most was that above-mentioned journalists declined to pretend that if your Lordship had remained a little longer at Lausanne peace would have been signed.

No. 243

The Marquess of Crewe to the Marquess Curzon of Kedleston.—(Received February 8.)

(No. 155.) [By Bag.]
(Telegraphic.) *Paris, February 7, 1923.*

M. GAUVAIN, in the "Journal des Débats," advises French public, which has hitherto been ill-informed by inaccurate accounts, to read attentively your Lordship's communiqué of last night, which gives a true account of what passed at Lausanne.

He observes that the moment has come to denounce to the world of Islam the intolerance of the new Turkish State, which, by suppressing the Sultan and by subjecting the Caliph to its caprices, is inspired by exclusively nationalist interests without any regard for the defence of Islam. The people of Angora should be made to appear before the whole world in their true light—that is to say, ignorant and infatuated men, inspired by ambition, who play with the lives of nations like children play with toys.

No. 244.

Mr. Henderson to the Marquess Curzon of Kedleston.—(Received February 8.)

(No. 65.)
(Telegraphic.) R. *Constantinople, February 8, 1923.*

MY telegram No. 63.

I received at midnight a written communication from Adnan Bey informing me, by order of his Government, that Turkish General Staff had decided to close port of Smyrna by barrage of mines as from 7th February.

I sent message to Adnan last night warning him that H.M.S. "Curaçoa" would enter Smyrna this morning.

Commander-in-chief is keeping Admiralty fully informed of developments.

No. 245.

Mr. Henderson to the Marquess Curzon of Kedleston.—(Received February 8.)

(No. 66.)
(Telegraphic.) D. *Constantinople, February 8, 1923.*

MY telegram No. 65.

H.M.S. "Curaçoa" anchored in Smyrna apparently without incident at 10·30 this morning.

I saw the French High Commissioner and admiral this morning, and they agreed to request French Senior Naval Officer, Smyrna, to associate himself in declaration which Admiral Nicholson has been instructed to make to Turkish authorities there that the Allies cannot recognise any restrictions on free movement of their warships until peace is signed.

Allied High Commissioners are also addressing further written communication to Adnan Bey on the above lines, pointing out that in addition action of Turkish authorities is contrary to all habitual usages, and insisting on withdrawal of demand.

Communication will be based on instructions which French High Commissioner has received from Paris, and in which I unreservedly agreed to join.

Italian High Commissioner will also join subject to contrary instructions from his Government, from whom he has heard nothing, arriving before note can be presented.

Colonel Mougin has telegraphed to French High Commissioner corroborating information in second paragraph of my telegram No. 63. He [omitted: assert]s that Reouf Bey is powerless against ("débordé par") Fevzi Pasha and Military party.

Even if this is so, it merely confirms necessity for resolute and united action

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No. 246.

Mr. Henderson to the Marquess Curzon of Kedleston.—(Received February 8.)

(No. 67.)
(Telegraphic.) *Constantinople, February 8, 1923.*

YOUR telegram No. 29.

I have repeatedly done so, and I did so again during interview recorded in my telegram No. 54.

Adnan's influence is unfortunately not equal to his benevolence. He, as I know from indisputable sources, made repeated efforts to get airmen released. He has failed owing to obstructiveness of Fevzi Pasha, in whose competence release lies, and who has demanded in return written assurance that Turks have full right to open fire on any British aeroplanes that cross neutral line. This, after consultation with General Harington and for various reasons, I have told him I cannot give.

No. 247.

Mr. Henderson to the Marquess Curzon of Kedleston.—(Received February 8.)

(No. 68.)
(Telegraphic.) *Constantinople, February 8, 1923.*

MY telegram No. 62.

Adnan Bey came to see me after receipt of joint note. He said he had been in communication again with Reouf by telegraph, and hoped that his efforts had been instrumental in preventing an incident on arrival of H.M.S. "Curaçon" this morning. He said he could give me Reouf's formal assurance that demand for withdrawal of warships had not been inspired by any hostile intentions, particularly against British. He added that he could inform me confidentially, whatever Turkish attitude previously had been towards Great Britain, Turkey was now sincerely anxious for British friendship. He laid stress on the fact that change had occurred since interruption of conference, and that instructions had been given to all concerned to that effect. (This is confirmed from secret sources.)

In spite of above assurance, he could not satisfactorily explain coincidence of demand for withdrawal having been made at precise moment that negotiations at Lausanne were broken off.

Bekir Sami Bey, who also came to see me to-day, attributed action of local authorities at Smyrna to belief that breaking off of conference meant rupture instead of interruption. I believe this interpretation to be the correct one.

Adnan Bey endeavoured to explain away, if not coincidence, at least charge of abruptness of demand by saying that it was mere repetition of demand made at end December (see my telegram No. 794). He blamed High Commissioners for not having replied at the time to that communication. In this respect I admit that I regret decision of High Commissioners reported in my telegram No. 27.

Adnan Bey said that he had already telegraphed joint note of High Commissioners to Angora, but that he did not believe military party would withdraw demand. I told him that there was nothing to be done if Turkey was bent on committing suicide. He asked me whether I could propose any solution, and enquired whether at least it would not be possible for His Majesty's Government to withdraw second warship. I told him most I could say, as an entirely personal suggestion, was that if Turkish Government sent conciliatory reply to joint note assuring the Allies of peaceful intentions, and withdrawing demand pending amicable arrangement of difficulty between it and Governments concerned, I would recommend to His Majesty's Government that second cruiser be withdrawn.

Adnan said that he would urge Angora to reply in the form indicated.

For my part I trust that if conciliatory reply be returned His Majesty's Government will be prepared to adopt latter part of suggestion.

No. 248.

Mr. Henderson to the Marquess Curzon of Kedleston.—(Received February 8.)

(No. 69.)
(Telegraphic.) R *Constantinople, February 8, 1923.*

FOLLOWING is translation of joint note referred to in my telegram No. 62

"Allied High Commissioners, in accordance with formal instructions received from their Governments, inform Adnan Bey that pending signature of peace they cannot admit any restriction of liberty of movement or entry into Turkish ports of their ships.

"Measure announced by Turkish military authorities concerning port of Smyrna is, moreover, contrary to rules of international courtesy, which do not subject entry or length of stay of foreign men-of-war in a port to conditions of tonnage or armament.

"In consequence, High Commissioners, by order of their Governments, protest formally against these communications, and demand withdrawal of orders issued by Turkish Government to prevent Allied men-of-war remaining in port of Smyrna."

Note begins by reference to Turkish communication of 26th December last (see my telegram No. 794) as well as that of 9th February.

E 1091/343/44] No. 249.

The Marquess Curzon of Kedleston to Vice-Consul Graftey-Smith (Jeddah).

(No. 23.)
Sir, *Foreign Office, February 8, 1923.*

DR. NAJI-EL-ASSIL recently informed a member of the British delegation at Lausanne that he had received from King Hussein a telegram which led him to believe that the King intended to discuss with the ex-Sultan of Turkey the question of the future of the Caliphate. King Hussein, in his telegram, referred to Sir H. McMahon's letter of the 30th August, 1915, to him, which contained the following sentence:—

"To this intent we confirm to you the terms of Lord Kitchener's message, which reached you by the hand of Ali Effendi, and in which was stated clearly our desire for the independence of Arabia and its inhabitants, together with our approval of the Caliphate when it should be proclaimed. We declare once more that His Majesty's Government would welcome the resumption of the Caliphate by an Arab of the true race."

2. Dr. Naji, in conversation, made it clear that he believed that King Hussein will move very cautiously in the matter of the Caliphate, and that he will probably attempt by propaganda, both before and during the pilgrimage, to get a deputation of pilgrims from all countries to petition him to declare himself Caliph. He will then attempt to induce the ex-Sultan of Turkey to come forward and take the lead of the petitioners, and with suitable formalities offer the Caliphate to King Hussein. Such a move would, in Dr. Naji's opinion, undoubtedly win over the bulk of religious Moslem opinion to the Arab Caliph, but would not affect the adherence of the political pan-Islamists to the Turkish Caliph; the result would therefore be that the Moslem world would again be split in half as between two Caliphs.

3. While it is true that the assurances quoted by Dr. Naji-el-Assil were given by Sir H. McMahon in August 1915 to the (then) Shereef Hussein, it was already realised, as can be seen from Sir E. Grey's telegram to Sir H. McMahon of the 14th April, 1915, that it would be unwise for His Majesty's Government to commit themselves too deeply in the matter of the Caliphate, and subsequent correspondence with the King of the Hedjaz on this subject was marked by a withdrawal from the position of limited encouragement which had been adopted in Sir H. McMahon's letter. Thus, in a telegram from the Foreign Office to Sir R. Wingate on the 6th November, 1916, the policy of His Majesty's Government was stated as follows:—

"It should be strongly impressed on the Shereef that his own interests require that the question of the Caliphate should be left open until the end of the war; that it would be quite impossible for Christian Powers, numbering among our subjects many millions of Moslems, to expose themselves to the charge of taking sides in the affairs of Islam, and forcibly supporting one Caliph against another, and that his claims could only be weakened by such support in the eyes of the Moslem world."

A communication in this sense was eventually conveyed to King Hussein by Colonel Wilson

4. Since that date His Majesty's Government have carefully refrained from committing themselves to the King of the Hedjaz regarding the Caliphate, and they adhere to this policy of non-intervention in a purely Moslem affair. Should, therefore, King Hussein attempt to enlist your sympathies in favour of his candidature, you should be careful to maintain an entirely non-committal attitude

I am, &c.

CURZON OF KEDLESTON

[E 1702/1/44] No. 250.

Minute by Mr. H. Nicolson respecting the Reparations Claims of Greece and Turkey.

Sir Eyre Crowe.

THE question of the reparations claimed respectively by Greece and Turkey was left in a somewhat indeterminate state by the discussion which took place with the Turkish delegation in Lord Curzon's room on Sunday last. I think it is necessary to put down on paper the exact position of this question in so far as we understand it and the stages by which this position has been reached.

2. You will remember that up to the day (Wednesday) when the draft treaty was presented the situation was as follows:

(*a.*) The Turks claimed from Greece the absurd figure of 160,000,000*l.*

(*b.*) The Allies proposed that Turkey and Greece should mutually renounce reparation claims, and this was provided for in article 58 of the draft treaty.

(*c.*) M. Veniselos said that, as an act of conciliation, he would accept the Allied proposal, but as an alternative he was equally ready to draw up an account showing on one side the value of the damage done by the Greek troops against the rules of war after the 1st June, 1921, and, on the other side, the loss caused to the Greek Treasury by the continued expulsion of Greeks from Asia Minor since March 1914. He estimated this loss at 240,000,000*l.*

3. When Ismet Pasha came on Thursday and Friday to discuss the draft treaty with the heads of the Allied delegations, he protested strongly against its terms, and stated that the Turks would never sign a treaty under which they formally renounced their claim to reparation from the Greeks. M. Veniselos, on the other hand, stated that he was perfectly willing to admit Turkey's claims against Greece, provided that Greece's claims against Turkey were also taken into consideration. The Allies therefore decided to omit article 58 as it stood and to exclude from the treaty any mention of reciprocal renunciation of claims. The implication was, of course, that it was left for the two Governments to put forward and to balance their mutual claims against each other.

4. The third stage was reached on Friday, when the Turks objected strongly to the omission from the treaty of all mention of their claims against Greece. They were unwilling to renounce their claims and they were equally unwilling to omit the statement of their claim from the treaty. We therefore endeavoured to reintroduce an article in which both the claims would be stated, and I had several conversations on Friday and Saturday with M. Veniselos, in which I endeavoured to reach an agreed formula. The least which I could induce him to accept was a formula which, while limiting Turkey's claims against Greece to those based upon action committed by the Greek armies in contravention of the rules of war, specifically stated that Greece's claims against Turkey were based (1) on the expulsions which had taken place since March 1914, and (2) on the confiscation of the property of Greek nationals resident in Asia Minor. Provided that the basis of the Greek claim against Turkey was definitely stated, M. Veniselos was quite willing that the article should begin in such a way as to facilitate its acceptance by Angora. He was thus ready to accept the wording such as "the Greek Government undertake to pay to Turkey reparation for the damage caused in Anatolia by the acts committed by the Greek armies in contravention of the rules of war." His consent to this formula was dependent, however, on the article continuing:

"Turkey, for her part, will agree to examine the claims of Greece for losses occasioned to the Greek Treasury (1) owing to the expulsion of the Christian populations from Asia Minor, who took refuge in Greece since the spring of 1914, and (2) owing to the losses caused to Greek subjects resident in Anatolia owing to the arbitrary action of the Turkish authorities."

5. Lord Curzon was of opinion that a formula containing so specific an indication of the nature of the Greek claims would never be accepted by the Turkish delegation, and Mr. Waley and myself then (on Saturday afternoon) asked M. Veniselos whether he would accept a formula indicating the claims by reference rather than by enumeration, under which the claims of both countries against each other as presented to the Peace Conference would be settled by direct negotiation, or, in the last event, by arbitration. Mr. Waley worked out the following formula, which was at once accepted by M. Veniselos:—

Formula A.

"Article 58. Les réclamations du Gouvernement turc contre le Gouvernement hellénique, qui ont été présentées à la conférence, ainsi que les réclamations du Gouvernement hellénique contre le Gouvernement turc, également présentées à la conférence, feront l'objet d'un accord ultérieur à intervenir entre les deux Gouvernements.

"En cas de désaccord, la question sera réglée par voie d'arbitrage."

6. On the evening of Saturday I took this formula to M. Bompard, who cordially approved of it. I then saw Hassan Bey, who, while at first inclined to accept the formula, rejected it totally after consultation with Ismet Pasha. The same attitude was taken up by Riza Nur, and it was incidentally at that moment that the latter begged me to ask Lord Curzon to conclude a separate peace with Turkey.

7. Lord Curzon, when informed of what had happened, instructed me to consult with Mr. Child, who had that very afternoon discussed with Ismet Pasha an entirely different basis for the solution of this question. It appears that Ismet Pasha had shown some willingness to accept from Greece a lump sum fixed at a figure entirely out of proportion to the original Turkish claim and, having accepted this sum, would abandon all further claims against Greece. I saw Mr. Child at about 10 o'clock on Saturday evening. He told me that he was not quite certain whether Ismet Pasha had really meant that he would abandon all further claim on receiving a lump sum or whether his intention had been to exact from Greece a certain proportion of his claim in advance and to reserve the balance for direct negotiations and ultimate arbitration. He added that he expected Ismet Pasha to return at midnight to see him and that he would question him further on the subject. As you know, Ismet Pasha did not again call on Mr. Child until Lord Curzon had left Lausanne.

8. The next morning, in order to be prepared in the event of the solution proposed by Mr. Child being advanced by the Turkish delegation, I sounded M. Veniselos as to whether he would agree to a lump sum down. I suggested as a possible figure that of 100,000,000 drachmæ, or, at the present rate of exchange, about 250,000*l.* M. Veniselos intimated to me that if the whole treaty were to turn upon his making a concession of this point he would certainly do so, but only provided that his right to make counter-claims against Turkey was carefully safeguarded.

9. Such was the situation at 1·30 P.M. on Sunday when the Turkish note was received. As you will remember, the Turks stated in their letter that "they took note" of the recognition in principle of their claims for reparation against Greece. At the meeting which took place with Ismet Pasha that evening Lord Curzon pointed out to him that we were in some doubt as to what was actually meant by that phrase. So far as we were aware, no recognition of this principle had been made by the Allies to the Turkish delegation. Did their phrase mean simply that they accepted the draft formula which had been shown to them the night before and which they had then refused? Ismet Pasha stated that what he had meant was that the Greeks should pay a certain lump sum down and that the balance of the Turkish claim against Greece should be settled more or less in accordance with our formula. It was pointed out to him that there was really no time to fix such an arbitrary sum to be paid by Greece and that his proposal could not at that stage be taken very seriously. It was then that he left the room with his two colleagues for a twenty minutes' conversation, and when he returned he produced as the Turkish claim the

following revision of our original formula, in which, as you will observe, the Greek right of counter-claim against Turkey was omitted:

Formula B

"Les réclamations du Gouvernement turc contre le Gouvernement hellénique concernant les réparations dans les régions dévastées qui ont été présentées à la Conférence de Lausanne, feront l'objet d'un accord ultérieur à intervenir entre les Gouvernements turc et hellénique.

"En cas de désaccord, la question sera réglée par voie d'arbitrage."

No definite reply was at the moment given to Ismet Pasha in regard to his formula, but Lord Curzon asked me to find out at once from M. Venizelos whether he agreed.

10. I left the room and telephoned to the Greek delegation. The reply, when it came, was to the effect that the Greek delegation would not sign a treaty which, while recognising the Turkish claim against Greece, gave no recognition to the Greek counter-claim against Turkey. When I returned to Lord Curzon's room, however, the discussion had already reached a breaking point over the Capitulations and the economic clauses, and the question of Greek reparation was not again alluded to.

12. The question has therefore been left in a rather unsatisfactory condition. The Turks are doubtless under the impression that the Allies accepted their formula. The Greeks have no idea at all what was the result of the discussion. I think the only thing to do is to take it that formula A presented to Ismet Pasha on Saturday night (*i.e.*, that contained in § 5 above), which he would doubtless have accepted but for the intervention of Mr Child, should stand, and that if negotiations are resumed we should proceed on the assumption that the question was left entirely open.

HAROLD NICOLSON

Foreign Office, February 8, 1923.

[E 1599 1 44]

No. 251.

ECONOMIC CLAUSES OF DRAFT TREATY WITH TURKEY.

(*Note by the Eastern Department.*)

ATTACHED is a somewhat detailed note of an informal inter-departmental discussion in Sir E. Crowe's room yesterday regarding the economic clauses in the draft treaty with Turkey (clauses themselves are annexed).

The results of the discussion may be summarised as follows:

So far as articles 71, 72–81 (79 having already dropped out), 89, 90, 94, 100, 102–107, 108–111, some items in articles 112 and 113 are concerned, the protection of British interests precludes His Majesty's Government from agreeing to what is understood to be the proposal of the French Government, namely, that articles 71–117 of the treaty (all the economic clauses, but not apparently the conventions for the future commercial régime between Turkey and the Allies, &c., annexed to the treaty) should be dropped out of the treaty *en bloc*, that the thus emasculated treaty should then be signed and negotiations taken up separately with the Turks on these points. Unless the above articles were included in the treaty to be signed, no sufficiently certain lever would be left in our hands to protect these British economic interests, in spite of the probable Turkish desire eventually to reopen trade with us and secure British money and perhaps technical assistance. As these matters primarily concern the Board of Trade, Mr Fountain subordinated the expression of his views in the attached note and his acquiescence in this recommendation to the formal approval of the President of the Board.

Foreign Office, February 8, 1923.

Enclosure in No. 251.

Notes of a Discussion in Sir Eyre Crowe's Room, February 7, 1923, *regarding the Economic Clauses in the Draft Treaty with Turkey.*

Present:

Sir Eyre Crowe.
Sir H. Rumbold
Mr. Fountain.
Mr. Waley.
Mr. Forbes Adam.

SIR E. CROWE and Sir H. Rumbold briefly explained the situation before the British delegation left Lausanne on Sunday, the 4th instant. The Turkish delegation (to some extent apparently prompted by experts in the American delegation) had asked at midday on Sunday that all the economic clauses in the treaty, viz., articles 71–117, should be taken out of the treaty and settled by further discussion between the parties, the remainder of the treaty being signed. M. Bompard, Sir H. Rumbold, Mr. Payne and Signor Montagna had then been up to the Lausanne Palace Hotel and gone through the economic clauses with the Turkish experts. They found that the Turkish objections were mainly raised against the following articles: 80, 82, 84, 89, 90, 91, 94, 95, 97, 100, 101, 107 in the draft treaty; articles 12, 14, 15 and 17 in the separate convention relating to the régime for foreigners; and to articles 3, 7 and 9, annex 270 and article 10 of the special commercial convention. After this discussion with the Turks a meeting had taken place between the Allied plenipotentiaries, and after M. Bompard and the Marquis Garroni had been asked what was the extreme limit of concession in the economic clauses to which they were prepared to go, they had replied that they were prepared to propose to the Turks that articles 82, 84, 91, 92, and the annex to article 83 should remain in the treaty as they are, but might be left open for a period of six months in order to provide for a further examination and settlement between the Allies and Turkey.

When this proposal was later in the afternoon put to the Turkish plenipotentiaries, they resolutely refused to accept it, characterising the Allied economic proposals as the economic slavery of Turkey.

After the British delegation had returned to London on the morning of the 6th February, a telephone message was received from Paris through the French Embassy saying that Ismet Pasha had expressed his willingness to sign the treaty, provided that all the economic clauses were taken out of the treaty and left over for later discussion and agreement, and provided that the Turkish declaration relating to judicial guarantees for foreigners, somewhat strengthened by Signor Montagna, took the place of the Allied declaration on this subject, and provided certain changes were made in the convention relating to the régime for foreigners in Turkey.

The object of the meeting was to ascertain to what extent it would be possible to meet these proposals so far as the economic clauses were concerned. The French Government, in communicating them, had expressed their willingness to agree to the Turkish proposal.

Each article in Part III, economic clauses, of the treaty was then taken in turn, and the following is a summary of the result of the discussion.

Article 71 is simply a definition of the expression "Allied Powers" and "Allied nationals" in the economic clauses as a whole, and stands or falls with the rest of the clauses. No objection has been taken to this article in itself.

SECTION I.—*Articles* 72–81 (*Property, Rights and Interests in Turkey*).

(N.B.—Article 79, which was really attached to the reparation clauses of the treaty, was dropped out in the final draft as offered to the Turks, like the other reparation clauses of the treaty.)

These articles form a block and are framed on a reciprocal basis. Mr. Fountain explained that the provisional view of his Department was that, both as regards these clauses and the other economic clauses of the treaty, a distinction should be made as regards British rights and interests as they already existed or have existed in the past, and their present maintenance or settlement as a result of the war, as distinct from the treatment of such rights and interests in the future. For instance, it would probably not be difficult for England to negotiate with Turkey a tariff

convention for the future treatment of patents, &c.; Turkey would probably want to trade with Great Britain and would want English money. It would be quite a different thing to attempt to negotiate with Turkey after the rest of the treaty had been signed and settled, and our main levers for a settlement had been used to attempt to obtain Turkish consent to proper compensation for the past, and for the maintenance of the property, rights and interests existing, for instance, before the war. The tendency of the Turkish delegation through the negotiations had been to regard the past as wiped out and the future a matter for negotiation.

Mr. Waley also pointed out that the action taken by the Allied Governments in waiving their demand for reparation would probably lead Turkey to expect similar lenient treatment as regards economic clauses when these came to a separate negotiation. It was these articles that provided in particular for the proper compensation of such substantial British companies holding concessions in Turkey as the Smyrna-Aidin Railway, the Ports and Quays Company and the Constantinople Telephone Company.

It was agreed that it would not be possible to allow these articles to be taken out of the treaty and negotiated upon separately.

SECTION 2.—*Articles* 82–93 (*Contracts, Prescriptions and Judgments*)

It was generally agreed that British interests would not be materially affected if the majority of these articles were taken out of the treaty and negotiated upon later, but it was felt that it would be useful, if possible, to keep articles 89 and 90, to which the Turks had never raised objection. It was noted that the Turks strongly object to article 87 regarding the validation of contracts given since the armistice by the Constantinople Government. It was felt that this was not very important from the British point of view, provided that the validation of the financial contracts and concessions granted by the Constantinople Government since the armistice was obtained. These are dealt with in other parts of the treaty.

It was also noted that the French had appeared during the negotiations particularly to desire the retention of article 91. No case where judgments given by the Turkish Government after 1914 had damaged British interests was, however, known to the British delegation.

SECTION 3.—*Articles* 94–100 (*Concessions*).

These articles are mainly intended to provide for the maintenance of concessions granted before the war in Turkey. Some of them are, however, more important to British interests than to others.

It was noted in the course of the discussion that the French might be willing to forgo these articles because they felt themselves protected partly by the general promises given to M. Franklin Bouillon, in writing and otherwise in connection with the Franco-Turkish Agreement of October 1921 and partly by subsequent arrangement with the Turks outside the treaty which are believed, but not known, to exist. Mr. Waley also threw out the suggestion that it might be possible to deal with all these questions of claims relating to pre-war concessions and their validity and maintenance by submission to, say, The Hague Tribunal, who would be asked to give an *ex cathedrâ* judgment upon them. On the other hand, it was pointed out that arbitration in such cases meant delay and expense, and the Allies could not allow these pre-war concessions to be reopened. It was also pointed out that to some of these articles, notably 95 (which had actually been agreed between the French and the Turks before being placed in the treaty) and article 97 (an article inserted at the wishes of the Colonial Office to enable them to buy out a concession granted during the war to a Greek subject), were mainly objected to, not by the Turkish delegation, who were, indeed, not interested in so far as it was a question of concessions in territories detached from Turkey by the treaty, but by the American experts. For instance, article 95 (providing for the liquidation of German railways in Asia Minor and the participation in their future exploitation by Allied companies with existing railway interest in Turkey) was felt by the Americans to endanger their future participation in contracts for the reconstruction of Turkey. They do not actually wish or intend to take over the railways themselves.

As a whole it was felt that there was no objection, so far as British interests were concerned, to dropping all these articles and negotiating upon them later, except articles 94 and 100 (which is necessary if article 94 is to be worth anything).

SECTION 4.—*Article* 101 (*Debts*).

Article 101. Mr. Fountain pointed out that these concerned debts due by or to firms outside Turkey. Perhaps the most important provision in the article was the exception made in the last paragraph whereby Ottoman companies in which Allied nationals had a preponderating interest were to be considered as Allied nationals. This covered the question of the payment of large debts by nominally Turkish banks.

It was agreed that this article, while desirable, was not essential to British interests, which would probably not be very materially affected if no mention was made in the treaty of this question at all.

SECTION 5.—*Articles* 102–107 (*Industrial, Literary and Artistic Property*).

It was pointed out that although Allied interests were not great, it was desirable to insist on Turkey restoring pre-war patents, trademarks and copyrights. The Turkish delegation had, in fact, made no difficulty as regards these articles with the one exception of article 107 providing for the recognition of patents granted and trademarks registered by the Constantinople Government since the armistice.

It was agreed that it was not possible to give way on these articles as British interests would be damaged.

SECTION 6.—*Articles* 108–111 (*Mixed Arbitral Tribunals*).

It was pointed out that these articles were purely machinery and no possible legitimate objection could be taken by the Turks to them. The only argument which they had raised on these clauses was the question of the president, and their obstinacy on this point was purely due to their inability to understand the meaning of the proposals.

It was felt, however, desirable, if possible, to retain these articles because, although the Turks had no objection to them in the present draft, experience showed that both in the case of the economic clauses and the other clauses which had just been negotiated at Lausanne, it was impossible to rely upon any two Turkish experts taking the same view. If these questions were threshed out at a new conference, it was impossible to be certain that the new Turkish delegation or experts would regard themselves as in any way bound by the acceptance of any draft clauses by the delegation or experts at Lausanne.

SECTION 7.—*Articles* 112–115 (*Treaties*).

Mr. Fountain said that he did not think that British interests would be seriously affected by the omission of these articles and subsequent negotiations except in the case of the resuscitation of the postal and telegraphic conventions and Turkish adherence to the aerial and opium conventions. As a matter of fact, it was understood that the Turkish delegation had accepted all these clauses, although there is some uncertainty regarding the aerial convention. The Turks had pointed out with some justice that the aerial convention would exclude aviators of a country which had not signed the convention flying over Turkish territory. They had a treaty with Russia, who had not signed the aerial convention, which would conflict with this stipulation.

It was agreed that it would be better to keep these articles, or at any rate to retain the resuscitation of the postal and telegraph conventions and Turkish adherence to the opium convention.

SECTION 8.—*Articles* 116 *and* 117.

Article 116 deals with the suppression of the economic régime resulting from the Capitulations, and has attached to it a special convention providing for the future commercial relations of Turkey with the other high contracting Powers.

Article 117 concerns only the French and the Italians; and article 116 seems hardly one which the Turks would wish to forgo.

CONCLUSION.

It was agreed that, as a whole, it would not be possible to accept what was apparently the French proposal to omit all the economic clauses, articles 71–117, from the treaty and negotiate these afresh.

So far, however, as British interests are concerned, we should be prepared to omit, as shown in detail above, the majority of these articles and leave them to

separate negotiation. It must be emphasised that the French and Italian delegations at Lausanne, who decided what were the minimum economic concessions that could be made to the Turks, made proposals which were far less lenient to the Turks than those the British delegation would have been prepared in the last resort to offer.

[E 1638/1/44] No. 252.

Memorandum communicated by French Ambassador February 9.

(Secret.)

L'AMBASSADEUR de France à Londres a rendu compte au Gouvernement de la République de la conversation qu'il a eue avec Sir Eyre Crowe au sujet des négociations de Lausanne. Le Gouvernement de la République est convaincu que certains des propos tenus par l'Honorable Sous-Secrétaire d'État ne peuvent provenir que d'un véritable malentendu, dont il ne s'explique pas, d'ailleurs, l'origine et qu'il est résolu à essayer de dissiper, dans l'intérêt supérieur des deux Gouvernements et des deux pays.

Sir Eyre Crowe a dit à M. de Saint-Aulaire que la rupture de Lausanne est due exclusivement à l'action de la France, qui, trois jours avant la date prévue pour la signature, aurait déclaré qu'elle se prêterait à des concessions nouvelles et à la conclusion d'une paix séparée. A cette affirmation, il y a eu lieu de répondre :

1. Qu'il n'y a jamais eu à Lausanne de date prévue pour la signature, mais seulement une date annoncée par la délégation britannique pour son propre départ ;
2. Qu'à aucun moment le Gouvernement de la République n'a accepté d'envoyer un ultimatum aux Turcs, ni même de leur fixer une date irrévocable, parce qu'il était convaincu que ce procédé ne pouvait pas plus aboutir qu'il n'a abouti au mois de mars 1922, lorsqu'il a été employé une première fois ;
3. Que le Gouvernement de la République avait depuis longtemps fait connaître son avis sur ce point au Gouvernement britannique et qu'il l'a rappelé, dans les derniers jours à Lausanne, sans aucune réticence ;
4. Mais que jamais il n'a déclaré à Angora qu'il se prêterait à des concessions nouvelles et qu'il a simplement dit aux Turcs, comme M. Bompard l'a déclaré à Lord Curzon, avant la remise du projet de traité, que le texte arrêté par les Alliés n'était pas intangible et pouvait donner lieu à une discussion raisonnable ;
5. Que Lord Curzon a, du reste, lui-même admis cette procédure ;
6. Qu'il est absolument faux qu'à aucun moment la France ait laissé espérer aux Turcs un traité séparé ; que, tout au contraire, depuis la signature de l'accord d'Angora, la France s'est toujours refusée, soit à considérer cet accord comme un traité de paix, soit à signer avec la Turquie un traité de paix distinct ; qu'à maintes reprises, avant et pendant la Conférence de Lausanne, elle a été pressentie à ce sujet et qu'elle a toujours écarté ces suggestions ; qu'elle n'a jamais varié dans cette attitude.

Sir Eyre Crowe a, d'autre part, déclaré à M. de Saint-Aulaire que la note remise à Lord Crewe, le 30 janvier, par le Président du Conseil, Ministre des Affaires étrangères de France, était, sur les points essentiels, contraire à la vérité ; que le Gouvernement britannique se réservait d'y répondre et qu'il ferait l'opinion juge de son différend avec le Gouvernement français. Le Gouvernement de la République attend la réponse du Gouvernement britannique. Il est sûr d'avance qu'il est impossible de contester la sincérité de sa propre note. S'il y était relevé des erreurs, elles seraient certainement involontaires. Mais il ne croit pas qu'elle en contienne. En tout cas, si le Gouvernement britannique croyait devoir soumettre au jugement de l'opinion publique une divergence de vues qui, dans la pensée du Gouvernement français, n'a pas cessé d'être amicale, il accomplirait un acte d'une gravité exceptionnelle et prendrait une responsabilité que le Gouvernement français lui laisserait tout entière. La divulgation de cette divergence, qui paraît en elle-même facile à régler, pourrait, en effet, avoir pour conséquence de l'envenimer et de la rendre irrémédiable.

Sir Eyre Crowe a dit encore à M. de Saint-Aulaire que la France était libre de sacrifier ses intérêts en Orient, mais que l'Angleterre se refusait à suivre cet exemple, et il a insisté sur la nécessité d'obtenir des garanties judiciaires sérieuses. La France n'a jamais voulu sacrifier en Orient ni ses intérêts ni ceux de ses Alliés et elle désire, autant que l'Angleterre, obtenir des garanties judiciaires. Dans cette question comme dans les autres, la délégation française, a uni ses efforts à ceux de la délégation

britannique et de la délégation italienne et ce n'est la faute ni de l'une ni des autres si le résultat n'a pas été meilleur. Il est malheureusement certain que les Turcs, enivrés par les succès militaires remportés sur les Grecs, et ne se considérant plus comme une nation vaincue, ont opposé aux revendications communes des Alliés une résistance d'autant plus grande qu'on leur avait, sur d'autres points, imposé des concessions importantes, comme la remise de Karagatch aux Grecs, la renonciation de toute garnison turque à Gallipoli. Sur ces deux derniers points, le Gouvernement français est resté aux côtés de l'Angleterre, contre son propre sentiment, et par fidélité à l'Alliance.

M. de Saint-Aulaire a compris qu'aux yeux du Gouvernement anglais la politique française tendait à rejeter sur l'Angleterre la responsabilité de la rupture et à assurer ensuite à la politique française, par une paix séparée, des avantages particuliers en Orient. La France, a-t-il déclaré, aurait choisi entre la Turquie et l'Angleterre ; et, comme M. de Saint-Aulaire protestait, Sir Eyre Crowe a ajouté qu'il était certain de ce qu'il avançait. Le Gouvernement français remercie l'honorable Sous-Secrétaire d'État de sa franchise. Si le Gouvernement britannique a conçu de pareils soupçons à l'égard de la politique française, il est préférable que la France en soit immédiatement informée ; et, du moment où ils ont été formulés, elle entend, sans retard, en faire justice. Si, entre l'Angleterre et la Turquie, la France avait choisi la Turquie, elle aurait manqué aux obligations les plus élémentaires de l'Entente. Il faut donc que cette question soit immédiatement éclaircie. Il est impossible que le Gouvernement britannique juge ainsi la politique française sans avoir des éléments qu'en toute bonne foi il puisse considérer comme des présomptions ou comme des preuves. Le Gouvernement français est en droit de demander qu'elles soient fournies.

Lorsque récemment le Président du Conseil de France a dit à Lord Curzon qu'il savait que les Grecs voulaient recommencer la guerre, Lord Curzon a paru sceptique et le Président du Conseil n'a fait aucune difficulté à lui dire que la preuve de cette intention belliqueuse avait été trouvée dans un télégramme de M. Vénisélos récemment déchiffré. Le Gouvernement français s'engage sur l'honneur à conserver rigoureusement secret le renseignement que le Gouvernement britannique voudra bien lui communiquer pour justifier les motifs de sa conviction. Jamais la France n'a autorisé personne à laisser croire aux Turcs qu'elle puisse les préférer à l'Angleterre ; jamais elle n'a songé à s'assurer en Orient des avantages particuliers par une paix séparée. Si le Gouvernement français a déclaré au Gouvernement britannique qu'il ne considérait pas les conventions du 4 septembre 1914 comme étant encore en vigueur, après la reprise de la guerre gréco-turque, et s'il a désiré réserver ses droits, c'est un langage qu'il n'a tenu qu'aux Gouvernements britannique et italien, et dont il n'a pas fait part à la Turquie. Il n'a, du reste, fait cette réserve de ses droits que pour ne pas être indéfiniment condamné à ne pas signer la paix en Orient, mais il n'a pas eu et il n'a pas la moindre intention de se séparer de l'Angleterre dans les négociations actuelles. Si donc le Gouvernement britannique croit avoir la preuve d'une politique française différente, c'est que des gens sans mandat ont dénaturé la pensée de la France. Tout récemment encore à Lausanne, Férid Bey a prêté au Gouvernement de la République des dispositions ou même des propos entièrement inexacts. Il est possible que d'autres Turcs, ou même des turcophiles trop zélés, aient eu une conduite analogue. La France insiste pour que la Grande-Bretagne ait l'amitié de la renseigner à ce sujet. Si même le Gouvernement anglais a eu connaissance de certains documents diplomatiques français, le Gouvernement de la République s'engage formellement à ne pas s'en plaindre. Il a été averti que des pièces, vraies ou fausses, présentées comme provenant du Quai d'Orsay, avaient été livrées à certaines Ambassades ; si ces pièces sont authentiques, elles ne peuvent que confirmer les déclarations du présent mémorandum ; si elles sont fausses, il est nécessaire que l'Angleterre le sache. Enfin, si c'est par d'autres voies que l'Angleterre a pu connaître des pièces françaises, il est indispensable que ces pièces puissent être traduites et expliquées au Gouvernement anglais par le Gouvernement français. Il n'en est pas une seule qui justifie les soupçons du Gouvernement anglais ; il n'en est pas une seule qui ne prouve l'irréprochable conduite du Gouvernement français. Il a toujours agi dans l'esprit le plus loyal et le plus amical pour l'Angleterre. Il est résolu à continuer. Mais il adjure le Gouvernement britannique de ne conserver à cet égard aucune arrière-pensée et de ne pas laisser s'établir entre les deux pays un état de suspicion mutuelle qui serait fatal.

Paris, le 7 février 1923.

No. 253.

The Marquess of Crewe to the Marquess Curzon of Kedleston.—(Received February 9.)

(No. 138.) [By Bag.]
(Telegraphic.) *Paris, February 8, 1923.*

M. JACQUES BAINVILLE, who writes in the "Action Française" and the "Liberté," both of which are Nationalist journals, usually very anti-English in their tone, declared last night in the latter journal that your Lordship had just shown that honesty was in politics, as in ordinary life, very much the best policy. You had not wished, before the Turks, to separate yourself from France over questions, such as the service of the debt, which were of special interest to the French. The unity of the Allies had thus been re-established, and your Lordship had taken advantage of the opportunity offered to you by the Turks. This constituted excellent diplomatic work, for which you deserve congratulations.

M. André Tardieu, in commenting on the above with approval in to day's "Echo national," observes that the most devoted admirers of the present French Government cannot claim for them any such praise for their "diplomatic work." M. Tardieu urges that advantage should be taken of the Turks' refusal to sign the treaty in order to rectify certain of its clauses which constitute an abject surrender for French interests. In this connection the "Echo national" correspondent at Aleppo telegraphs that three important French establishments in Cilicia have had to close down owing to the procedure of the Turkish authorities, whilst at Mersina the French College of Capuchines and the School of Sisters have had to stop teaching, and at Mersina and Adana the French Bank of Syria has also had to close its doors, thus erasing the last vestige of French influence in Cilicia.

With regard to the Smyrna incident, the worm, in the shape of M. Jean Herbette, has at last turned, for he declares in this evening's "Temps" that France is pacific, but that if her ships or soldiers are touched she will react with vigour and perseverance, the effects of which will be fully appreciated by Reouf Bey himself in his capacity of ex-naval officer. M. Herbette then proceeds to indicate that Berlin must be the cause of the trouble and must be exercising an unhealthy influence over Angora, for it is clear that if France were mixed up in a conflict in the East it would constitute a very favourable diversion for the German Government. He declares that peace should be concluded in the East at the earliest possible opportunity, and that negotiations should be resumed before Ismet reaches Angora. He adds that, if Germany were not in a state of revolt against the Treaty of Versailles, peace would be easier to establish elsewhere, and he particularly recommends this reflection to "nos amis anglais." At present all dangers of war have their centre in Berlin.

M. Gauvain also sees the hand of Germany in the latest developments of the Eastern question, and states that several German industrialists and financiers are preparing to get hold of the Turkish market. One of them has, he says, under cover of a branch establishment of a Hungarian bank, laid plans for gaining possession of Turkish trade at Constantinople and in Anatolia.

No. 254.

Lord D'Abernon to the Marquess Curzon of Kedleston.—(Received February 9.)

(No. 78.)
(Telegraphic.) R. *Berlin, February 9, 1923.*

TWO somewhat divergent interviews with Chicherin appear in "Berliner Tageblatt" and "Vossische Zeitung" this morning. In former, Chicherin states that we are probably on eve of an Anglo-Turkish special agreement. Valuable Turkish concessions to England on all important points render an eventual agreement possible in the course of ordinary diplomatic negotiations between the Governments. Efforts of Russian delegation in question of the Straits were beginning to bear fruit. In France and Italy, as well as in Liberal and Labour circles in England, view is gaining ground that British solution would involve further naval expenditure. End

of the Ruhr conflict will probably be a direct understanding between Germany and France. French invasion gravely obstructed Russia's efforts to restore normal trade relations with Europe. In "Vossische Zeitung" he states that Lausanne rupture does not mean renewal of war. Position of Turkey is excellent, as her enemies are at variance Russian support of Turks at Lausanne was a factor of extraordinary importance.

France had two policies at Lausanne—that of unity of *Entente*, and another aiming at privileged position for France in Turkey: result being that Near East had lost confidence in her, while England obtained pretext she desired to go forward alone and to appear magnanimous. Marquess Curzon obtained a free hand for independent diplomatic action in the Orient.

Russia still maintained her attitude regarding the Straits. At Lausanne Turkey was fettered by previous promises to demilitarise the Straits. It was now clear to every Turk that vital interests of their country necessitated closing of Straits to men-of-war. Important sections of the Government and public opinion in France and Italy realised disadvantage of surrendering Black Sea to strongest sea Power.

No. 255.

Mr. Henderson to the Marquess Curzon of Kedleston.—(Received February 9.)

(No. 71.)
(Telegraphic.) *Constantinople, February 9, 1923.*

FOLLOWING is joint appreciation of situation out here as viewed by Admiral Brock, General Harington and myself :—

Smyrna incident has created another point at which at any moment precipitate action of Turkish, possibly subordinate, authorities might lead to outbreak of hostilities.

A policy of drift which leaves initiative to Turks is entirely to Allied, and particularly, since we are most exposed, to British, disadvantage. In a month's time weather conditions will have greatly improved military position and striking capacity of Turks, who, it is conceivable, are merely awaiting more favourable opportunity. We therefore strongly recommend that present occasion be taken to terminate uncertain situation here, which has lasted for five months and which from military point of view is progressively deteriorating.

There is no doubt that feeling is running very high at Angora at present moment. Extremist military party is said to have upper hand, and is certainly having loudest say. How far this bellicosity can be checked or fostered at will by Kemalist leaders must necessarily be matter of some conjecture, but, though it is more likely that leaders, whom we believe to wish to avoid war, still have control, this does not prevent serious risk of irreparable incidents at Chanak, Ismid, Smyrna or elsewhere.

French and Italians, especially former, are excessively irritated with Turks at present moment, and apparently more prepared than at any previous time during past five months to support decided action, though it is improbable that, if such action were to result in war, their subsequent support in men, ships and money would be particularly effective. Nevertheless, present instance of Allied unity at Smyrna affords, if ever, opportunity to attempt to achieve peace by united policy of firmness and resolution.

If His Majesty's Government and our allies are prepared to take risk which such definite action necessarily involves, advantage might well be taken of passage of Ismet Pasha through Constantinople, where it seems probable now that he arrives on 11th February, to force such a decision.

Before Ismet leaves Constantinople he might therefore be informed that Allies regard negotiations as adjourned, in order to enable him to consult his Government. In view, however, of generous terms offered by them, treaty conditions cannot indefinitely remain open, and unless Allies learn by some fixed date, say, ten days, or at most a fortnight, that Turkey is prepared to sign treaty, Allies must regard conference as having ended in definite rupture, and Mudania Convention as having lapsed. They consequently will consider themselves from

that date as free to take all measures that they may consider necessary to meet new situation that has arisen as result of rupture

We consider that, even if joint action by Allies be not taken in that sense, it might be desirable that I should see Ismet while he is here, and would be grateful in that case for indication of views of His Majesty's Government

It is possible that he will call on General Harington, whom he knows.

No. 256

Sir R. Graham to the Marquess Curzon of Kedleston.—(Received February 9.)

(No. 26.)
(Telegraphic.) R. *Rome, February 9, 1923.*

PRESIDENT of the Council informed me to day that when he presented Santa Margherita agreements to Chamber to-morrow he intended to see them through

Dalmatian Deputy, Dudan, spoke for five hours yesterday in Committee for Foreign Affairs against agreements, but President of the Council wrote to him enjoining him to desist from useless opposition, and he has [? group omitted] not to speak again. President said that there would be no opposition in Chamber, and that if Dalmatian committees made trouble they would be suppressed. Thus, Italy was at least doing her best to settle one of the many outstanding questions which threatened peace of world.

(Repeated to Belgrade.)

No. 257

The Marquess Curzon of Kedleston to Mr. Henderson (Constantinople).

(No. 31.)
(Telegraphic.) *Foreign Office, February 9, 1923.*

As General Harington and myself are almost certain to see Ismet Pasha when passing through Constantinople to-morrow, it may be helpful to you to know line that you should adopt. A good deal turns on question whether he still has power to sign treaty as presented, as he always declared at Lausanne, or whether he means or is bound to go to Angora before a final decision is reached. Our point of view is

1. That Turks made a gross mistake in not signing at Lausanne before my departure last Sunday, after immense concessions that had been made.

2. That Ismet would have done well to rectify that error next morning before leaving Lausanne, as M. Bompard reported his intention to do.

3. That we are still willing at any time to sign treaty in that form.

4. That we can offer no opinion as to additional concessions believed to have been offered by Bompard and Montagna at last moment after I had left, because we have never been told what they were, and because it seemed to us that we had already reached limit, and that no further concessions were possible without seriously jeopardising interests of Allies.

His Majesty's Government found with great relief at Lausanne that great bulk of questions at issue between the Allies and Turkish Government were satisfactorily resolved, and they are gratified at friendly sentiments that prevailed between His Majesty's Government and Turkish delegation after eleven weeks' association. I desire to be personally remembered to Ismet Pasha, and to renew my advice to him, so frequently given, to take what he has secured while he can still get it. As I warned him, public opinion outside Turkey is turning against Turkey in consequence of breakdown at Lausanne, and it is not Allies but Turkey who will suffer by prolongation of suspense. Nor can he hope to profit by any divergence between Allies. He has only to read French newspapers to realise that fact. I should like to receive a friendly message from him that he will duly consider my advice, and that the handshake will be possible in the near future. He knows that once the treaty has been signed the help of England will be given

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No. 258.

The Marquess Curzon of Kedleston to the Marquess of Crewe (Paris).

(No. 62.) [By Bag.
(Telegraphic.) *Foreign Office, February 9, 1923.*

YOUR despatch No. 298 of 6th February: Turkish threat to Mosul.

Misunderstanding may well be deliberate, and you should make it quite clear to French Government that main point of our enquiry was to ascertain whether they had any confirmation of reports of repairs to roads or railways, of which Turks might make use in connection with possible attack on British mandatory territory.

In pressing this point you should express the thanks of His Majesty's Government for the information contained in French note, and also for the renewal of their assurance.

No. 259.

The Marquess Curzon of Kedleston to Sir A. Geddes (Washington).

(No. 55.)
(Telegraphic.) *Foreign Office, February 9, 1923.*

YOUR telegram No. 59 of 6th February

His Majesty's Government are more than grateful for kind enquiry of American Government, which is entirely in accord with friendly and valuable part played by the chief American delegate at Lausanne. For the moment mediation does not seem to be required, partly because, in respect both of the Straits and Asia Minor, mutual agreement was arrived at, and still more because any such overtures now would only be mistaken by the Turks for prelude to further concessions. The best assistance that United States Government can proffer is to follow the sound line taken by Mr. Child more than once in my presence with the Turks, namely, to tell them that unless and until they sign the treaty American sympathy is arrested and American aid will not be forthcoming.

E 1386/1/44] No. 260.

The Marquess Curzon of Kedleston to the Marquess of Crewe (Paris).

(No. 473.)
My Lord, *Foreign Office, February 9, 1923.*

1. HIS Majesty's Government have carefully considered the memorandum communicated to His Majesty's Ambassador at Paris on the 4th February by the French President of the Council explaining the reasons which led M. Poincaré to make certain representations to the Angora Government through the French High Commissioner at Constantinople on the 30th January. His Majesty's Government regret their inability to accept these explanations as satisfactory, for reasons which I will now proceed to state.

2. I request your Excellency to read this despatch to M. Poincaré and to leave a copy with him, should he desire it.

3. It was on the 24th January, after proceedings which had already lasted for nine weeks, and in spite of great concessions made in almost every field to the Turks, had revealed but little inclination on their part to arrive at a final settlement, that I discussed the whole situation with my colleagues, M. Bompard and the Marquis Garroni. We then agreed upon a plan which would materially hasten the conduct of business and serve to intimate to the Turkish delegation that a limit must be set to the apparently endless debates which were gradually whittling away all the advantages which the Allies might hope to obtain from a treaty of peace. This procedure gave the Turkish delegation five days in which to examine the treaty as a whole—a document with which, in fact, on every question of importance or principle they had already long been acquainted and which they had discussed in detail. On the third day they were to be offered the opportunity of stating their case once again at a meeting of the three main commissions, and it was to be clearly explained to them that, while the Allies

were prepared to hear the Turkish observations and to consider alterations of the draft treaty on points of detail, there could be no question of reopening the debates on points of principle. In the unhappy event of a refusal to sign the treaty, it was to be made clear that no further discussion could be allowed to take place at Lausanne, whence the Allied delegations would depart at the end of the week, except for one or two subordinate officials capable of giving to the Turkish delegates any explanations or details of the draft that might be required.

4. In discussing this plan with my Allied colleagues in the presence of several witnesses, I fully explained that this procedure was not to be regarded as an ultimatum to Turkey, and that I would be careful to say so to the Turkish delegation at the official presentation of the draft treaty. The Turks would be free to ask for an adjournment, and either stay at Lausanne to consider the draft, or refer for instructions to Angora, or to proceed thither in person. The departure of the Allied plenipotentiaries and the main body of experts would, however, preclude further discussion of points of principle or further concessions upon them. We could at any time reassemble for the signature of the treaty if the Turks agreed to sign.

5. This plan, formally agreed upon by the French, Italian and British plenipotentiaries, was in course of being carried into effect. Its chances of success seemed assured when the Allied delegations found, as they did, good reason to believe that the Turks had recognised the necessity of coming to terms because they could not afford to return to Angora without a peace treaty, that Ismet Pasha had full powers to sign, and that he was about to accept in all essential particulars the Allied terms. On the 30th January, however, there appeared on the sheets of the Swiss Telegraphic Agency at Lausanne a Havas Agency telegram, the text of which is so important that I give it in full in the first annex to this despatch. In spite of the semi-official character of the French agency in question, no credence was attached to the alleged contents of this surprising communication by the British delegation at Lausanne, and, in order to dissipate the unfortunate effect which it was producing in the circles of the conference, they so informed the press. On the 31st January, however, confirmation appeared to be given in Lausanne to this report by the appearance practically of the text of the first five paragraphs of this communication in the "Bulletin du Jour" of the "Temps" of the 30th January. The apprehensions aroused by the Havas communication at Lausanne were unfortunately aggravated, when on the same day, the 30th January, the French plenipotentiary came to me in order to urge me to abandon the plan upon which I understood that the three Allied delegations had agreed a few days before in order to meet what M. Bompard reported to be the intention of Ismet Pasha, namely, to ask for eight more days for discussion of the treaty.

6. The apprehensions thus excited were more than confirmed when the British Acting High Commissioner at Constantinople telegraphed that, under instructions from his Government, General Pellé had informed Adnan Bey the day before that the draft treaty to be presented to the Turks in no way constituted an ultimatum, that the French Government were prepared to discuss modifications of it, and that the French delegation had been instructed, in the interest of peace, to keep contact with the Turkish delegation—apparently indefinitely. Mr. Henderson understood from General Pellé that, while emphasising the extent of the concessions already made, his instructions included an expression of France's readiness to examine any further plans made by Turkey in a benevolent spirit. As this information was conveyed to Mr. Henderson twenty-four hours after the communication had been made to Adnan Bey, the former felt it useless to protest against, or to comment upon, it.

7. In vain I waited for some explanation from the French Government of this unexpected step. It was true that on the 1st February an apparently inspired communiqué from the Havas Agency, the text of which I again quote in full in the second annex to this despatch, appeared in the French press. This communiqué purported to explain the previous Havas report, quoted in the first annex to this despatch, by a reference to a telegram from M. Poincaré to Mustapha Kemal of the 26th January. To this, since attention is again drawn to it by M. Poincaré in his present memorandum, I will return below. I need only here say that it contained no mention whatever of the instructions, admittedly sent on the day before the original Havas report, the 29th January, by M. Poincaré to General Pellé.

8. It was, however, only upon the receipt of the above-mentioned official information from Mr. Henderson—as to the action of the French Government, although not as to the reasons for it—that I felt it necessary to ask for the explanation which

M. Poincaré has now been good enough to furnish. My request was not based upon the alleged communication from M. Poincaré to the Angora Government referred to in the Havas communiqué of the 30th January, and by the "Temps" on the 31st January, and I take note of his denial that the French Government did not divulge the purport of this communication to the French press. I also take note of his declaration that there are no semi-official papers in France. The actual relations between the French press and the Quai d'Orsay are fully understood by His Majesty's Government.

9. Quite apart, however, from the question of any such leakage, the action of the French Government in itself was serious enough. For to what did it amount! At a moment when the Allied plenipotentiaries at Lausanne, at the close of a long drawn and difficult negotiation with an enemy State, had agreed upon a procedure, which, while giving the Turkish delegation every opportunity to state its case, clearly showed that the period of discussion and concession was drawing to a close, and that the time for decision had come, at a moment when a display of Allied unity was imperative, the head of one of the Governments concerned, acting at a distance from the scene, without consulting or even informing the other two Governments, without apparently consulting even his own plenipotentiary, informed the enemy Government in unmistakable terms that there was no Allied agreement as to procedure, and that, as far at any rate as his Government was concerned, the limit of discussion and concession had by no means been reached.

10. The effect of this action was as instantaneous as it was unfortunate. The Turkish delegation immediately asked for eight days' delay for further discussion. My French colleague at Lausanne, presumably acting on M. Poincaré's instructions, and notwithstanding the arrangement arrived at a few days before, insisted that this delay must be granted. In consequence, in the conference building itself a public display of Allied disunity was on the verge of being given to the Turks. Nevertheless, in order to maintain the accord with my colleagues which their action had compromised, I deferred, so far as I could, to their representations. The Turkish delegation, however, encouraged by these symptoms of a rift in the Allied ranks, and by the obvious readiness of two of the Allies to offer further and indefinite concessions, proceeded at once to put forward demands for concessions on nearly every point of importance in the treaty. Once more, in order to preserve a united front and to make a last effort for peace, I yielded on a number of important points, only to find the Turks obstinately refusing to the last to sign what had already become for the Allies a peace in many respects of surrender. This was the attitude on the part of the chief British plenipotentiary, which M. Poincaré is good enough to describe as intransigent and menacing.

11. I now turn to M. Poincaré's defence of his action. He refers in the first place to his telegram to Mustapha Kemal of the 26th January I do not doubt that that telegram was fully intended to hasten the conclusion of peace, although at that juncture it might have been held wiser for the heads of the three Allied Powers to concert in any joint representation to the head of the Turkish Government. That telegram, however, is not now under discussion. In the second place, reference is made to the unsolicited representations made by Adnan Bey and Reouf Bey to General Pellé and Colonel Mougin regarding their fears of a rupture and an Allied ultimatum. As I have already explained, His Majesty's Government have never considered or advocated an ultimatum, and the procedure agreed upon at Lausanne by the three heads of the Allied delegations explicitly excluded it. If, however, M. Poincaré regarded this expression of Turkish apprehension as well founded, he might surely have been expected to make representations accordingly to His Majesty's Government. The latter could not possibly anticipate that he would have taken the particular step which he actually did take, and that the British delegation at Lausanne would have been left to discover it nearly two days later from the British representative at Constantinople, who had himself only been informed twenty-four hours after the communication had been made.

12. Thirdly, M. Poincaré claims that, not only had his action a most favourable result for the cause of the Allies, but that it was in conformity with his original intentions, as explained to me at the several Allied meetings at Paris since March 1922. As regards the first claim, I have already shown that the results, so far from being favourable, were very nearly calamitous to all the Allies alike. As regards the second claim, I cannot recall that the idea of separate communications to the Turkish Government, without prior consultation and agreement between the Allies as to their terms, was ever either mooted or approved at any meeting in Paris

13. It is impossible to pass altogether without notice the comments which M. Poincaré has thought fit to make upon my share in the proceedings at Lausanne. It is not clear what opportunities can have been enjoyed by the French Président du Conseil of forming a personal judgment of those events; and assuredly no one who was present could have drawn so unkindly a picture of them. The suggestion that the treaty should be presented at a plenary sitting of the conference with a speech by one of the leading Allied representatives was concurred in by the first French plenipotentiary, then M. Barrère; nor did any disagreement manifest itself on the subject, except when M. Barrère, insisting that I had exhausted my right by presiding ten weeks earlier at a meeting of the conference which dealt exclusively with the question of procedure and bore no relation to the treaty at all, claimed the right for the French representative to occupy the chair for the purpose of presenting the treaty in the name of the Allies, even although Great Britain happened to be represented by the Secretary of State for Foreign Affairs. I had already spontaneously offered to accept the French text as the official text of the treaty. In deference to M. Barrère's request, I had further agreed to allow a project which I had put forward at one stage for the conclusion of peace, to be described as a Franco-British plan. No note of either of these concessions, or of the spirit of cordiality which inspired them is taken by M. Poincaré. Nor does he mention that the proposal which was finally acted upon, that the three commissions should meet simultaneously, and that the British, French and Italian presidents should each explain that part of the treaty for which his commission was specially responsible, emanated from myself. Neither, again, does he draw from the entire proceedings at Lausanne the conclusion which has elsewhere met with all but universal recognition, namely, that the methods for which he can find nothing but condemnation succeeded in procuring the Turkish assent to all those parts of the treaty to which they related, while the tactics which were practised, even up to the last moment, by the French delegation, resulted in complete disappointment. These are, after all, only trivial and ephemeral aspects of the case, which it would have been unnecessary to mention but for the description of them given in the note under reply.

14. But there remains one charge in this part of M. Poincaré's note which cannot be so lightly dismissed. This is the insinuation that, at the risk of relighting a disastrous war, Great Britain, while the Lausanne Conference was proceeding, has kept up the aggressive spirit of the Greek Government and the Greek army on the Maritza. It would be unusual in any case for such an insinuation, unsupported either by facts or by evidence, to find a place in an exchange of diplomatic notes between Allies. Had M. Poincaré consulted his own representatives at Lausanne as to what actually passed there, he would have learned that by no party were counsels of moderation and warnings against the folly of a renewal of hostilities more consistently and, as it is believed, more successfully pressed upon the Greek Government than by the British delegation. For any suggestion to the contrary there is no justification.

15. M. Poincaré terminates his memorandum with the final insinuation that it is the custom of the Foreign Office to communicate confidential notes exchanged between the two Governments to the press. That such an insinuation should emanate from the Quai d'Orsay is indeed surprising. But small research is required to show that there has hardly been a single inter-Allied conference at Paris or elsewhere since the armistice of 1918 at which, contrary to agreement between the heads of the Allied delegations, there has not been an incessant leakage of information from the French Foreign Office or the French delegation to the French press, and also to British newspapers notorious for their systematic hostility to His Majesty's Government. Such leakage has, moreover, not only taken place at conferences. On the 24th August last an official reply from the Quai d'Orsay to the British Embassy regarding certain proposals of His Majesty's Government for the holding of a conference at Venice was outlined by the "Temps" on the 24th August, although it only reached Lord Hardinge on the 25th August. A similar divulgation took place in the "Temps" on the 4th September of the contents of a note which had not then reached Lord Hardinge about the Venice Conference. Again, it is clearly more than a coincidence that the "Temps" of the 29th January in its leading article outlined the whole line of arguments of M. Poincaré's note of the 30th January to Lord Crewe regarding the validity of the pact of the 4th September, 1914. Other examples could without difficulty be found. In the circumstances, and in view of this continual practice of French authorities, His Majesty's Government may be driven to

consider whether they will be able to maintain in the future the long-established tradition of regarding such documents as confidential. In particular if, unhappily, during the next few weeks the Turkish delegation should definitely and finally refuse the generous terms of peace offered by the Allies, and should it become necessary to explain this failure to the world, His Majesty's Government may find it necessary to publish the present exchange of notes in order that public opinion may be aware of the grounds on which the French President of the Council has justified the part played by him in the recent negotiations at Lausanne, and the reasons for which His Majesty's Government believe this intervention to have unfavourably affected the chances of peace.

I am, &c.
CURZON OF KEDLESTON.

ANNEX I.

The following is the text of the Havas communiqué as it was published at Lausanne on the night of the 30th January through the Agence télégraphique suisse, and was replied to by the British delegation.

It appeared in the "Journal des Débats" of the 1st February, which stated that it received it by telephone from its correspondent at Lausanne:—

"Par l'entremise de son Haut-Commissaire à Constantinople, le Gouvernement français a adressé hier, à Angora, une communication importante dont le texte a également été transmis à Lausanne, à Londres et à Rome.

"Il ressort de cette communication que le projet de traité remis à la délégation turque ne constitue pas, aux yeux de la France, une rédaction définitive dont il serait interdit de discuter les termes, mais que ce projet marque simplement l'état actuel des pourparlers et que rien ne s'oppose à des négociations ultérieures.

"Le Gouvernement français a conscience d'avoir déjà accordé, en ce qui concerne les intérêts de la France, plus de concessions qu'il n'en a obtenu. Toutefois, il ne refuserait pas de faire telles autres concessions qui lui paraîtraient raisonnables, si on lui donnait des motifs suffisants pour qu'il ait lieu d'y consentir.

"Pour le cas où la délégation turque manifesterait l'intention de continuer les négociations à Lausanne, le Gouvernement français est prêt à laisser dans cette ville sa délégation tout entière. Si, au contraire, la délégation turque se croyait obligée de rentrer à Angora pour soumettre le projet de traité à la grande Assemblée nationale de Turquie, le Gouvernement français serait disposé à reprendre les pourparlers à l'endroit et à l'époque dont on conviendrait.

"En précisant ainsi son attitude, avant même que la délégation turque ait répondu au projet qui lui a été remis, le Gouvernement français montre qu'il souhaite sincèrement la paix en Orient, qu'il ne négligera aucun effort pour y parvenir, et que, si pour le malheur de tout le monde, la guerre recommençait, la responsabilité en retomberait sur ceux qui n'auraient pas voulu suivre la France, ou venir au-devant d'elle."

ANNEX II.

The following is a note sent on the 1st February from Paris to Lausanne by the Havas Agency:—

"*Paris, le 1er février* 1923.

"Le rédacteur diplomatique de l'Agence Havas a fait une enquête approfondie dans les milieux français les plus autorisés au sujet de la communication faite lundi au Gouvernement d'Angora par le Haut-Commissaire français à Constantinople de la part du Gouvernement français. Le journal qui, mardi après-midi, annonçait à Paris la nouvelle de cette démarche, déclarait qu'il ressort de cette communication que le projet de traité remis à la délégation turque à Lausanne ne constitue pas, aux yeux de la France, une rédaction définitive dont il serait interdit de discuter les termes, mais que ce projet marque simplement l'état des pourparlers et que rien ne s'oppose à des négociations ultérieures. Le même journal ajoutait que le Gouvernement français était disposé à de nouvelles concessions envers la Turquie. D'où le vif émoi de la délégation britannique à

Lausanne, qui se traduisait par un communiqué officiel se refusant à accepter pour exacte l'information en question. De là aussi une explosion de mécontentement dans la presse britannique en raison de l'attitude attribuée ainsi à la France. Cette surprise et cet émoi seraient bien légitimes, s'ils étaient justifiés, mais il n'en est rien, heureusement pour la continuité des bonnes relations entre les deux pays.

"Le rédacteur diplomatique de l'Agence Havas, en effet, est en mesure d'affirmer de la manière la plus catégorique que le télégramme de M. Poincaré à Moustapha Kémal Pacha ne contient aucune des idées que lui prête l'organe parisien. Le télégramme du Président du Conseil français est un appel à la haute confiance du chef du Gouvernement d'Angora, pour l'inviter à signer le traité de paix préparé par les Alliés. Au moment où les négociations entrent dans la phase finale, dit en substance M. Poincaré, tout retard dans la signature du traité compromettrait l'œuvre de paix si laborieusement échafaudée. Les Alliés ont conscience d'avoir fait, en ce qui les concerne, tous leurs efforts pour donner à la Turquie une paix équitable, qui sauvegarde à la fois son indépendance territoriale, sa souveraineté politique et son intégrité financière. La Turquie peut donc accepter sans regret les conditions des Alliés, même si ces conditions comportent pour elle quelques légères concessions. Ainsi, la Turquie agira dans son propre intérêt et servira la cause de la paix.

"Ainsi peut se résumer l'analyse très fidèle du télégramme de M. Poincaré à Mustapha Kémal Pacha. Donc, loin d'offrir à la Turquie des concessions nouvelles et de l'encourager ainsi indirectement, pour les obtenir, à ne pas signer le projet préparé par les Alliés, M. Poincaré, en faisant cette démarche personnelle auprès de Moustapha Kémal Pacha, en accord complet avec le Général Pellé, Haut-Commissaire à Constantinople, n'a eu pour préoccupation que de mettre au service du maintien de la paix l'influence particulière que la France serait en droit d'escompter de la reconnaissance de la Turquie, et c'est pourquoi le télégramme de M. Poincaré à Moustapha Kémal Pacha, communiqué aussitôt à Londres, reçu l'approbation très sympathique du Cabinet britannique."

[C 2563/313/18] No. 261.

Sir C. Marling to the Marquess Curzon of Kedleston.—(Received February 10.)

(No. 60. Confidential.)

My Lord, *The Hague, February 6, 1923.*

IN the course of conversation at his weekly reception to-day, M. de Karnebeek brought up the Near Eastern question, and asked me to what I attributed the refusal of the Turks to sign the draft treaty. I said I had always believed that they would sign at the last moment, and I expected that even now they would repent. As for the reason for their refusal it was to my mind indubitably M. Poincaré's alleged message of intimation that if the negotiations broke down France would be ready to discuss a separate peace. The French Government had denied the despatch of any such message, and I did not know exactly what had passed, but it had been generally accepted that a communication to this effect had been given, and whether it were so or not did not very much matter; the harm was done. What struck me most about it was the moment chosen for such an indiscretion. If France wished to renew relations, the hint could equally well have been made after the Turks had given their reply. I ascribed the *gaffe* to wounded vanity, which could not bear to see France playing a very secondary rôle at the conference, and I could not bring myself to admit that there had been any intentional disloyalty. His Excellency hinted pretty clearly that he had less faith in French devotion to her Allies, and went on to remark on the stupidity of their action. Surely M. Poincaré did not imagine that France by herself could secure better terms than could united Europe? For instance, the point most strenuously denied by the Turks had been the Capitulations, and it was the same point on which French financial and commercial interests had, to his knowledge, urged on their Government the vital necessity of securing real safeguards instead of the stipulations providing for foreign expert advice in the reform of the Ottoman judicial system, stipulations which he feared would prove quite inefficacious in practice, for, however good the reformed system might be on paper, there was no means of enforcing its proper application. He was quite at a loss to understand how M. Poincaré had been able to disregard the tremendous pressure brought on him in this connection.

This mention of finance evidently brought to his Excellency other similar embarrassments of the French Government, viz., those entailed by their occupation of the Ruhr, for he suddenly remarked that at all events they had succeeded in arresting the fall of franc exchange, and, on my remarking that I had noticed a slight rally, he said that he had information, which he regarded as absolutely trustworthy, that the French Government had an immense sum in reserve for this purpose; he had been told the exact figure, but did not feel at liberty to divulge it. M. de Karnebeek then turned to the German side. He said that from a very trustworthy journalist—who I gather is M. Blankensteyn, of the "Nieuwe Rotterdamsche Courant"—he had learnt that Dr. Cuno is facing the situation very calmly and even confidently, and had no intention of receding from the position, so often announced, that Germany was quite ready to discuss the reparation question, but only after the evacuation of the Ruhr. From another source, namely, some Dutch business men who had been in Berlin within the last few days and were in touch with Dr. Cuno, he had information that it was the intention of the German Government to utilise the gold reserve during the struggle, the argument being that it was better to employ it against the French than that it should fall into French hands. This reserve was, in round figures, a milliard of marks, and would be used to finance the purchase of coal and of raw materials. It was calculated that it would suffice for these purposes for about twelve months.

I have, &c.

C. M. MARLING.

No. 262.

Sir H. Dering to the Marquess Curzon of Kedleston.—(Received February 10.)

(No. 28.)

(Telegraphic.) *Bucharest, February 9, 1923.*

MINISTER for Foreign Affairs states that Ismet Pasha and delegates arrive here to-morrow or soon after, when snow permits, and will stay probably two days on the way to Angora. M. Duca and Prime Minister will see Ismet, and former wishes to know if there is any special point which you wish he should again impress on him. He has made same enquiry at Paris and Rome.

Although Minister for Foreign Affairs is under no illusion that he can accomplish what combined persuasion of representatives of great and small Powers have not been able to effect at Lausanne, he proposes to urge Ismet Pasha in friendliest spirit to sign proposed treaty, so favourable to Turkish aspirations, laying stress on fact that Roumania is animated by the best feelings towards Turkey and never desired war. On the other hand, he will point out futility of any idea of detaching any member of solid *bloc* of Powers represented at conference. These are, and will remain, indissolubly united. I would request earliest reply.

No. 263.

The Marquess of Crewe to the Marquess Curzon of Kedleston.—(Received February 10.)

(No. 161.) [By Bag.]

(Telegraphic.) *Paris, February 9, 1923.*

M. JEAN HERBETTE, in this evening's "Temps," observes that Reouf Bey's ultimatum has only served to bind together still more closely the Allies, and to increase the British forces outside Smyrna. He calls upon the Turks to address to the Allies in writing the modifications which they desire to make in the text of the treaty, and to do this before Ismet Pasha arrives at Angora. If they did not do this they would incur great responsibility.

M. Herbette expresses concern at the declaration attributed to M. Chicherin at Berlin, where he is supposed to have said that a separate peace between England and Turkey was possible in the near future. He enquires whether M. Chicherin meant thereby to indicate that the Soviet Government would prefer to see a conflict between France and the Turks, and observes that at Lausanne that was not the impression that he sought to convey.

No. 264.

Sir A. Geddes to the Marquess Curzon of Kedleston.—(Received February 10.)

(No. 66.)
(Telegraphic.) *Washington, February 9, 1923.*

YOUR telegram No. 55.

You refer exclusively to Turkish situation. My understanding of Secretary of State's reference to the continent (see my telegram No. 59) was that he had in mind primarily Franco-German situation. He clearly anticipated that it might be possible to do more there than in connection with Turkey.

I shall take an early opportunity of speaking in the sense of your telegram.

No. 265

Mr. Henderson to the Marquess Curzon of Kedleston.—(Received February 10.)

(No. 72.)
(Telegraphic.) *Constantinople, February 10, 1923.*

FRENCH High Commissioner informed me last night that Turkish authorities at Zoungouldak and Heraclea had detained there at least one French and several Italian merchant vessels, and even, though this is not confirmed, removed parts of their machinery.

I shall associate myself in any protest made by my Allied colleagues on the subject, and am representing to Adnan Bey personally the incredible folly of Turkish action

I attribute it to the same motives which led, in my opinion, to Turkish action at Smyrna, namely, panic at Angora at the belief that termination of conference at Lausanne meant definite rupture, and the belief that war was inevitable. When misapprehension on this score is removed, I believe that, in spite of extremists, agitation will subside and sane counsels prevail.

No. 266

Mr. Henderson to the Marquess Curzon of Kedleston.—(Received February 10.)

(No. 73.)
(Telegraphic.) *Constantinople, February 10, 1923.*

MY telegram No. 69.

Adnan Bey has communicated to my colleagues and myself verbal message from Reouf Bey in reply to joint note of 8th February respecting Smyrna. Substance was that Angora Government could not permit unconditional presence of warships in Turkish ports, and especially fortified ports, that Turkish Government were ready to discuss issue on basis of equality, but that reciprocal goodwill was necessary if solution was to be found. General tone, except for refusal to admit unrestricted movements of foreign warships and non-recognition of Mudros Armistice, thereby implied, was conciliatory.

I told Adnan that I had put forward to your Lordship suggestion as to possible compromise reported in my telegram under reference, that I had made it in sincere desire to enable Turkish Government to climb down from regrettable and inadmissible position they had taken up, but that I could hold out no hope of Allied Governments waiving principle laid down in joint note, and that I doubted even whether my Government would approve of suggestion I had made

Adnan gave me to understand that Reouf would not give for the moment any written official reply, and that things would remain as they were and where, as I told him, I wished Turkish Government had been wise enough to leave them, *i.e.*, Turkish Government maintaining regulations and Allies maintaining refusal to be bound by them. Nevertheless, I would welcome, if it were possible, a certain measure of satisfaction for Turks. It is undoubted fact that they are, not without cause, particularly sensitive on the subject of Smyrna. The wound is still very raw, and I am inclined to believe that fact that Reouf has not sent written proposals is because

he is unwilling officially to adopt standpoint which is the only one possible for him in present temper at Angora, but which at the same time would, as he realises, court rebuff from Allies. Action of Allies, and especially Great Britain, at Smyrna, where arrival of additional warships created great impression, has vindicated principle affirmed by them.

I think we can afford to show a certain magnanimity, and would be inclined now to withdraw British warships again, with the exception of one light cruiser, provided Turkish Government give assurances that safety of His Majesty's ships will be in no way impaired by any future regulations and that they are free to enter and leave after giving due notice to local authorities.

I believe we would gain more than we would lose by a certain consideration for Turkish point of view as regards Smyrna, and it might strengthen Ismet Pasha's hands at Angora when he gets there with treaty. There is no doubt that there has been great excitement at Angora, where break-up of conference was regarded as definite rupture, with the consequences which such a termination would involve. Hence, in my opinion, precipitate action taken by local authorities at Smyrna.

I have shown this telegram to Admiral Brock, who concurs generally in it.

No. 267.

The Marquess Curzon of Kedleston to Sir H. Dering (Bucharest).

(No. 10.)
(Telegraphic.) *Foreign Office, February 10, 1923.*

YOUR telegram No. 28.

I have sent a message to Ismet through His Majesty's representative at Constantinople, and think it better not to multiply the channels of communication But you may tell Minister for Foreign Affairs that I am quite ready to sign the treaty in the form in which the Allied plenipotentiaries presented it, with the amendments offered by them at the final meeting in my room at Lausanne on the evening of 4th February.

The resumption of detailed discussions or the demand for further concessions are equally undesirable.

No. 268.

Mr. Beatinck to the Marquess Curzon of Kedleston.—(Received February 11.)

(No. 64.)
(Telegraphic.) D. *Athens, February 10, 1923.*

FRENCH military attaché to-day told military attaché impressions gained during visit to Greek army in Thrace and Macedonia. Commanders and staffs of three army corps appear energetic and fairly capable. Troops well armed, clothed and fed, and held in a stern discipline. Their youth struck his eye. There was an appearance of good *moral*, but, from several indications, he was convinced that troops disliked idea of having to fight, and that, if they did, a local reverse would be likely to cause general break. He saw no forward dumps or other preparations for an advance, and considered forward movement at present impossible, as area west of line Kuleli Burgas–Karagatch was an expanse of mud traversed by tracks, only good road being from Ortakeui to Karagatch. As Turkish guards were close to both Kuleli Burgas and Karagatch bridges, he thought Turks could probably damage bridges if Greeks really threatened. He saw no fortifications worth the name.

Nevertheless, he considered there was still danger from personality of General Pangalos and of his chief of staff, Kalogeras, both of whom were excited and harped on war. He believed General Pangalos cared nothing for anyone in Athens, but would take instructions from Venizelos.

He put numbers in Thrace and Macedonia at under 100,000, but said he had difficulties in computing, as everyone gave him a different computation.

(Repeated to Constantinople, No. 41.)

No. 269.

Sir H. Dering to the Marquess Curzon of Kedleston.—(Received February 11.)

(No. 30.)
(Telegraphic.) *Bucharest, February* 11, 1923.

ISMET PASHA is now here, and will remain several days. Roumanian Minister for Foreign Affairs has not been able to learn from him if he intends to visit Constantinople. He says he must take contact with Angora. Turkish ship awaits him at Constanza, but snow may delay his departure from here. I know you have [group undecypherable] from despatches. I have asked Minister for Foreign Affairs to tell Ismet Pasha that this is the case.

(Addressed to [group omitted], No. 3.)

No. 270.

Sir H. Dering to the Marquess Curzon of Kedleston.—(Received February 11.)

(No. 31.)
(Telegraphic.) R. *Bucharest, February* 11, 1923.

PRIME Minister and Minister for Foreign Affairs have seen Ismet Pasha M. Duca has communicated following to me, with French and Italian colleagues:—

"Ismet states that he sincerely desires peace, and that Turkey will provoke no incident which might lead to war. In his opinion, different questions respecting finance and economics, also those affecting position of foreigners, on which he could not agree with Allies at Lausanne, are important, but are capable of solution. Consequently he would be ready to rediscuss these in order to arrive at satisfactory agreement.

"If he did not sign on 4th February it was because during last week new questions were introduced and he had no time to examine them. I gather that these were mainly financial questions.

"Ismet Pasha said that by discussing these new questions an understanding could be reached similar to principal matters already decided at conference. He complained that text of treaty was drawn up without participation of Turkish delegation. He had intimated at Lausanne that he was ready to sign what had been decided, leaving remainder for further discussion.

"Prime Minister and Minister for Foreign Affairs asked whether they could [? inform] Allied Powers that Turkish delegation was disposed to sign treaty at once, reserving questions of finance, economics, and those affecting foreigners, and, should Allied Governments be ready to agree to this procedure, enquired whether Roumanian Government could take any action in this sense.

"Ismet replied that he could not authorise them to make this statement, because he must take contact first with Angora, from whom he had had no news for five days."

Above will be communicated to Paris and Rome by Roumanian representatives

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No. 271.

Sir H. Dering to the Marquess Curzon of Kedleston.—(Received February 11.)

(No. 32.)
(Telegraphic.) *Bucharest, February* 11, 1923.

MY immediately preceding telegram.

At Ismet Pasha's first interview yesterday with Prime Minister and Minister for Foreign Affairs these insisted that intractable attitude of Turkish delegation was only obstacle to signature and urged him to modify it. It was pointed out that opinion of united Powers of Europe was against Turkey and that Soviet Government probably had pernicious influence on latter.

At second interview this morning alone with Minister for Foreign Affairs, latter again demonstrated in friendly manner with Ismet Pasha, who seemed specially impressed by fact of universal European condemnation of Turkey's attitude. He

made agitated endeavour to exculpate himself, declaring that he earnestly desired peace, but that new conditions imposed at last moment of economic nature which he had had no time to consider had rendered signature impossible at that moment.

I gather that he is not prepared to take initiative in proposing reopening of discussions, but expects Allied Powers to give him that intimation, to which he will not be averse. Minister for Foreign Affairs observes that this could be done through American [group undecypherable] if necessary: Ismet seems obliged to return to Angora to report and receive instructions, though he appears in no hurry to leave here and talks of snow possibly delaying departure.

Minister for Foreign Affairs informed us that Ismet will dine with him to-night, when he will talk still more frankly with him and urge him to sign. He will inform us of conversation with him.

With reference to your telegram No. 10, I have begged him to say that His Majesty's High Commissioner at Constantinople has message for him from your Lordship.

M. Duca will try to keep Ismet here as long as possible.

Latter has asked leave to send cypher telegrams to Angora. This will be allowed. Minister for Foreign Affairs read us telegrams stating that French delegate at Angora (French Chargé d'Affaires mentioned that it was a Colonel Mangin or similar name), and also Angora representative at Constantinople had reported that Ismet Pasha was anxiously awaited at Angora. General impression of Minister for Foreign Affairs is that Ismet is dismayed at interruption of negotiations and not at all unwilling to be requested to return and sign. Latter said Turkey had agreed to Gallipoli, Karagatch and many other important concessions, but was told by Minister for Foreign Affairs that Allied concessions to Turkey were still greater, and that minor details remaining should be no obstacle to signature of peace. Turkish delegate reaffirmed his earnest desire for peace. He seemed apprehensive that Greeks would attack Turkey.

(Repeated to Constantinople.)

No. 272.

Mr. Henderson to the Marquess Curzon of Kedleston.—(Received February 11.)

(No. 74.)
(Telegraphic.) R. *Constantinople, February* 11, 1923.

MY telegram No. 72.

I am informed by Adnan Bey that detention of Allied vessels in Black Sea ports was due to misunderstanding, which has now been cleared up.

No. 273.

Mr. Henderson to the Marquess Curzon of Kedleston.—(Received February 11.)

(No. 75.)
(Telegraphic.) *Constantinople, February* 11, 1923.

MY telegram No. 73.

Colonel Mougin has telegraphed to Paris account of interview with Reouf Bey on 10th February in regard to Smyrna incident. Latter stated that it was only on his personal intervention and responsibility that H.M.S. "Curaçoa" was not fired on when entering Smyrna, that if Allied warships were not withdrawn within three days Mundania Convention would be regarded as having been broken, and that his personal influence would be powerless to resist demand of military party for forcible action.

Verbal message to Colonel Mougin, which is in the form of ultimatum, is very different from that conveyed to three High Commissioners as reported in my telegram under reference. Neither French High Commissioner nor I consider it possible to recommend to our Governments any greater measure of conciliation than that outlined in my above-mentioned telegram. Reouf's language to Mougin has all the appearance of having been used as pressure.

E 1720/1/44] No. 274.

Mr. Henderson to the Marquess Curzon of Kedleston.—(Received February 12.)

(No. 78.)

My Lord, *Constantinople, February 2, 1923.*

I HAVE the honour to inform your Lordship that I received a visit yesterday from Ali Haidar Midhat Bey, who is, as your Lordship is doubtless aware, the son of the Midhat Pasha of the Constitution of 1876. He is one of the few Turks who have succeeded during the past few years in remaining completely aloof from intrigue or from connection with any particular party.

2. He began by telling me that he was a firm believer in the necessity for Turkey of good relations with Great Britain, that there were many Turks who shared his conviction in this respect and that their number was on the increase. He added that he intended to spare no pains in endeavouring to diffuse this view as widely as possible among his countrymen. I told him that I thought he would be acting in the interest of his own country if he did so.

3. He then proceeded to tell me that he had recently had several interviews with the delegates sent by Mustafa Kemal to Constantinople with a view to bringing about a combination of Mustafa Kemal's party with the organisation of the old Committee of Union and Progress Party. He stated that he had impressed upon these delegates the importance of Anglo-Turkish friendship and had found a distinct tendency on their part to agree with him. He added, however, that they had expressed a desire to have some proof of British sincerity before openly identifying themselves with such a policy.

4. I told Midhat Bey that this was not the first occasion on which mention had been made to me of the Turkish desire for a proof of British goodwill, but that I had never been able to discover exactly what was meant thereby. Great Britain and the British Government would, I felt convinced, as soon as a satisfactory treaty had been signed, be ready to befriend and assist Turkey if she honestly attempted to put her house in order, but the Turks could not expect more than an assurance to this effect until after the conclusion of the treaty.

5. Midhat Bey agreed, and said that in his conversation with the delegates he had himself been at a loss to suggest any form of proof to them nor had they for their part been able to explain what it was that they required. So far as Great Britain was concerned, the only real difficulty was, he said, Mosul, in regard to which there was great intractability among the Kemalists.

6. I told him that it was out of the question that your Lordship could give way on the subject of Mosul. I said that the sooner the Turks realised this the better. Mosul was not a question of oil or of bargaining, it was one of right and honour. Midhat Bey did not dispute the right or the honour. He said, however, that for the Turks it was a question of the Kurds. In the reorganisation of Turkey the Kurdish question was one which the Turks realised would give them much trouble, and they were apprehensive of a Kurdish movement under the ægis of Great Britain. He said that the attitude of the Turkish delegates with regard to Mosul was principally in this respect would be greatly modified if Anglo-Turkish friendship was established and the fears on that score thereby removed.

7. Midhat Bey was of opinion that once peace was concluded and the restraint influenced by this consideration. He hinted, however, that Turkish apprehensions of external pressure removed, there would be a violent internal reaction in Turkey. He anticipated that in the end the Sultan would be restored, and expressed no doubt as to the ultimate retention of Constantinople as the capital of Turkey. As regards the present composition of the Grand National Assembly, of which he spoke most contemptuously, he said that Mustafa Kemal could count on about 120 followers. The Opposition Party, or second group, of which the leaders were Karavassif Bey, Deputy for Sivas, Salaheddin Bey, Deputy for Mersina, and Hussein Avny, was about eighty strong. Between these two parties was a kind of centre group, consisting largely of Ulema on whom neither could really count. He said that Mustafa Kemal's delegates had been able, not without some difficulty, to come to a working arrangement with the Committee of Union and Progress Organisation here, by far the most influential member of which was Kemal Bey, or Kutchuk Effendi, as he is sometimes called.

8. I gathered from Midhat Bey's conversation that his politics were those of the moderate section of the Committee of Union and Progress Party. He said that its

members were far less extreme than most of the Kemalists. He spoke with considerable bitterness, however, about Enver Pasha, whom he believed to be dead. He was at some pains to warn me against Hussein Djahid and Djavid Beys, whom he described as pro-French and solely actuated by financial considerations. He told me that one of the strongest supporters of the policy of British friendship was Khalil Bey, an ex-Malta deportee, who was Minister for Foreign Affairs before the war. He made the somewhat surprising statement that Khalil Bey had returned from Malta a convinced partisan of British friendship. I took the occasion to observe that I feared that his imprisonment at Malta had not left the same impression on Raouf Bey. Midhat Bey said that Raouf had, he believed, modified his opinions lately. He mentioned in this connection that there was no love lost between Raouf and Mustafa Kemal, and gave me to understand that, in any internal reorganisation, the latter would find Raouf one of his most dangerous opponents.

9. Midhat Bey confirmed, what I had realised for some time past, the complete lack of influence at Angora of Adnan Bey. He described him—an opinion which I entirely share—as amiable and well-meaning, but a weak man. He attributed this largely to his ill-health. He said that he was consumptive, and was only prevented from going to Switzerland by being too poor to afford to live there. Refet Pasha was, he said, a man of quite a different calibre. He was, however, at present in disgrace owing to his indiscreet speeches and the excessive zeal which he had shown in Constantinople. Raouf Bey had done his best to protect Refet, but the enmity of Fethi Bey had been too strong for him.

I have, &c.

NEVILE HENDERSON,

Acting High Commissioner.

E 1723/1723/44] No. 275.

Mr. Henderson to the Marquess Curzon of Kedleston.—(Received February 12.)

(No. 82.)

My Lord, *Constantinople, February 5, 1923.*

I HAVE the honour to inform your Lordship that it was announced in the press a few days ago that Mr. Uchida, the Japanese High Commissioner here, had been raised to the rank of an Ambassador, while retaining the title of High Commissioner until the conclusion of peace.

2. As your Lordship is aware, Mr. Uchida is the first Japanese representative to be appointed to Turkey. His arrival here created somewhat of a storm in diplomatic circles as he claimed precedence, as High Commissioner, above the minor representatives, such as the Belgian, who only ranks as a Minister. The present solution may well be the result of Mr. Uchida's representations to his Government on the subject.

3. There is, however, another aspect of the case. His Majesty the Caliph sent one of his aides-de-camp to congratulate Mr. Uchida on his elevation to Ambassadorial rank, and I observe an announcement to-day in the press that Mr. Uchida had an audience yesterday with the Caliph to express his gratification at the congratulations which he had received.

4. I am inclined to believe that special prominence has been purposely given to this exchange of civilities. It was reported some time ago in the "Daily Mail," and reproduced in the press here, that the question of reducing the foreign Embassies in Constantinople to the status of Legations was once more under consideration. The Turks would bitterly resent a decision which, by qualifying them as a second-rate Power, would be so wounding to their *amour-propre* and their exaggerated ideas of their own importance. They may well, therefore, welcome and desire to emphasise an appointment by the Japanese Government which appears to prejudice the issue in their favour. They probably regard the action of the Japanese Government as presenting Europe with a *fait accompli* in a manner somewhat similar to the way in which the Marquis Garroni was reappointed here in the summer of 1920 at a time when the status of the foreign missions here was originally under discussion.

5. I am unaware of the views of His Majesty's Government on this subject or whether, as stated by the "Daily Mail," it is a fact that the question of the expediency of reducing this post to a Legation has again been raised. Although it seems somewhat absurd that so depopulated and impoverished a country should continue to hold the

position of a Great Power, which is implied by the Ambassadorial rank of the representatives which it receives and accredits, I trust that His Majesty's Government will not take the initiative in putting forward such a proposal. Apart from the positive advantages to Great Britain in retaining an Embassy here, the French Government, whatever pressure be applied to it, would be most unlikely to agree for its part to such a step. It would base its refusal on historical and sentimental grounds and would not hesitate to foster and take advantage of the resentment which a British proposal in favour of reduction would arouse among the Turks.

I have, &c.
NEVILE HENDERSON,
Acting High Commissioner.

[E 1694/95/65] No. 276.

Colonial Office to Foreign Office.— (*Received February* 12.)

(Secret.)

Sir, *Downing Street, February* 9, 1923.

I AM directed by the Secretary of State for the Colonies to transmit to you, for the information of the Marquess Curzon of Kedleston, copy of a letter from the Air Ministry, on the subject of Russian co-operation with Turkey in an attack on Irak.

I am, &c.
J. E. MASTERTON-SMITH

Enclosure 1 in No. 276.

Air Ministry to Colonial Office.

(Secret.)

Sir, *Admiral House, Kingsway, January* 27, 1923

I AM commanded by the Air Council to refer to Colonial Office letter of the 20th instant, in which the Duke of Devonshire requests to be furnished with the views of the Air Council on a telegram received from the High Commissioner for Irak regarding the possibility of Russians co-operating in a Turkish attack on that country, and to transmit herewith, for his Grace's information, an appreciation prepared by the Air Staff on this subject after consultation with the General Staff.

2. The council would add that in view of the very defective organisation of the Russian forces at the present time, the Air Staff are of opinion that a Russian army accompanied by artillery would not be able to operate with any degree of effectiveness at such great distances from any suitable base.

I am, &c.
W. H. NICHOLSON.

Enclosure 2 in No. 276.

Appreciation of Possibility of Russian Co-operation with Turkey in an Attack on Irak.

(Secret.)

I.—*Russian Turkish Relations.*

RUSSIAN aspirations include penetration to the Straits, occupation of Constantinople and the exploiting of Nationalist movements throughout the East.

2. Turkish aspirations include the extension of her territory up to the Caucasus Mountains. Her great ambition is to establish what can be described as a Turkish hegemony in which Moslem States are linked in a loose confederation. This does not admit of Russian control or participation except in the form of diplomatic or material assistance.

3. In November 1922 at Tabriz a secret pan-Islamic Committee was formed including Turkey, Persia and Afghanistan and which omitted Russia

4. A special branch of the Turkish Intelligence Staff has been established in Constantinople to study Soviet intrigue and to assist the Turkish anti-Soviet intrigue in the Caucasus. Russia is now aware of Turkey's Caucasus activities.

5. The Georgian, Armenian, Azerbaijan and Daghestan States are continually in a condition of unrest, and railway communication is being constantly interrupted, particularly in Daghestan.

6. In October 1920 a military convention was agreed between Turkey and Russia allowing for an attack on Irak, Russia advancing down one side and Turkey down the other side of the Persian frontier. Various treaties were made since 1920 and negotiations for a further treaty between Turkey and Russia started before the Lausanne Conference, but were broken off, at least temporarily, owing to Russia's demand for Kars and Ardahan.

Early in January 1923 negotiations were again opened on similar lines, with the result that Kemal stated he would accept Russian assistance in arms, material and money, but he preferred Russian troops to operate solely in Persia or against India. The Prime Minister has obtained parliamentary sanction to accept Russian terms if events necessitate.

7. Kiazim Kara Bekir still commands the Turkish eastern army and is anti-Soviet.

8. From the above facts it is considered that Russian forces must be held on the Georgian frontier to face the Turkish eastern army and that, should any combined attack with Turkey take place, it is more likely to pass through Persia than through Turkey.

II.— *Russian-Persian Relations.*

1. Russian ambition to control the Nationalist movement to the exclusion of British influence in Persia is marked and very considerable efforts are being made to establish Russian influence in the Gilan area as well as in Tabriz, Tehran and Meshed.

2. The establishment of Russian influence in Gilan would facilitate the landing of troops at Enzeli.

3. Russian Nationalist ambitions are more easily attained in Persia than Irak as Turkey's policy does not encourage the entry of Russians into either Turkey or Irak.

4. The attitude of Persia towards Russia has been somewhat stiffened owing to Russia's crooked commercial dealings, and recently the press has been rather more anti-Russian than anti-British.

5. Persia's War Minister, who is opposed to Russia, has decided to oppose any infringement of Persian territory by either Russians or Turks, and is reputed to be making military arrangements accordingly.

There are approximately 9,000 Persian Government troops on the two possible approaches to Rowanduz through Persia. The total Persian army amounts to 30,000 rifles, sabres and artillery, but it is considered that owing to the low state of efficiency of the Persian army and Government very little opposition would be made if Russia decided to march through Persia.

6. From the above it is considered that in the event of Russia co-operating with Turkey she would do so through Persia without much opposition, but that her object would be rather to establish her influence in Persia than to attack across the frontier into Irak.

III.—*Russian Forces and Possibilities of Advance.*

1. *Strength.*—Transcaucasia forces: approximately effective strength 27,000 and 50 aeroplanes. North Caucasia forces: approximately effective strength 31,000 and 30 aeroplanes.

The machines of the North Caucasia forces would have to be drawn in from a radius of 500 miles.

Owing to unrest and hostility in Caucasus States, the total available forces would be reduced to approximately 25,000 at the most.

Owing to the menacing presence of Kiazim Kara Bekir's eastern army, it is considered that even this 25,000 would not be available for an attack on Irak.

2. *Moral.*—Russian army tired of fighting. State of troops in Caucasia is worse than in rest of Russia; reports indicate that they are disaffected.

3. *Equipment.*—Bad, especially want boots and warm clothes.

Unit transport almost non-existent

No information of any depots being established and railway and road communication with Russia do not allow easy or rapid supply.

4. *Line of Communications.*—The railway communicating from Rostof to Petrovsk and Baku is badly in need of repair and will only take light traffic.

From Baku to Tiflis the situation is the same and only from Tiflis to Batoum can the line be considered in good order. A railway is now under construction from Alvat direct to Djulfa—probably some months before it will be completed.

Transport of troops from Astrakhan has also to be considered, but the area which would feed Astrakhan with troops is very sparsely garrisoned.

5. *Lines of Advance.*—The port of Enzeli is not well equipped for the disembarkation of large forces. Only one road, *i.e.*, viâ Kazvin, Hamadan and Kermanshah, from Enzeli allows for wheel traffic to advance on Bagdad, and this road will be closed during the winter without a large amount of labour clearing snow. Roads to north and south are mule tracks.

Two approaches are available on Rowanduz through Persia, viz., viâ Urmia or across the Urmia Sea to Talan, but both of these finish up in mule tracks.

One approach through Turkish territory, *i.e.*, viâ Bayazid and Bashquale, allows wheel traffic to approach Rowanduz, but the road has already been closed by snow this winter and would require labour to keep it clear.

6. From 1 above it is considered that should an offensive be decided by Russia, further reinforcements must be drawn from the interior.

There have been no reliable reports of the movements of Russian troops to Caucasus, and it is considered unlikely that more than two divisions have been sent to the Caucasus during the last two months

From 4 above, it is considered that the reinforcement from the Caucasus by large bodies of troops in the near future is extremely unlikely.

From 5 it is understood that a winter advance is extremely improbable and that a summer advance would be best undertaken down the Kasvin-Kirmanshah road directed against Bagdad.

IV.—*Summarising.*

1. Russian forces will continue to be held in strength on the Georgian frontier facing the Turkish eastern army until some definite and trusted agreement regarding the Caucasus States is come to between Russia and Turkey.

2. If Russia co-operates with Turkey, she will do so through Persia, but the advance is likely to be more in the nature of a diversion on the Irak eastern front with the intention of securing her position in Persia rather than a determined assault on Bagdad.

3. Military considerations do not favour any offensive on the part of Russia before the spring and unless these military considerations have greatly improved by then, only a small force would have to be reckoned with. Moreover, the existing means of maintenance and supply are so inadequate that the employment of a large expeditionary force would be almost out of the question.

V.—*Conclusion.*

Co-operation with Turkey by Russia in form of armed forces against Irak is considered quite improbable at present.

It is considered that if the general situation as it is now does not change before the spring, there is a possibility of Russian co-operation with Turkey to the extent of a small Russian force entering Persia ostensibly to threaten the Irak frontier opposite Bagdad, but in reality to secure a footing in Persia should the Turkish offensive against Irak materialise. Even action on this limited scale is regarded as a possibility rather than a probability, though there will doubtless be frequent rumours and threats of attack on Irak.

Russia will always do her utmost by propaganda and other political means to destroy British interest in the East.

January 1923.

[E 1753/16/44] No. 277.

Count de Saint-Aulaire to the Marquess Curzon of Kedleston.—(*Received February* 12.)

M. POINCARÉ vient d'inviter le Comte de Saint-Aulaire à faire connaître au Gouvernement britannique les déclarations faites hier à Angora par Raouf Bey au Colonel Mougin et dont le texte est ci-joint.

M. Barrère à dû effectuer la même communication au Gouvernement italien.

Le Gouvernement français estime, pour sa part, que les circonstances actuelles rendent extrêmement désirable le maintien, par les Puissances alliées, de leur unité d'action. Il semble impossible d'accepter une mise en demeure qui forcerait les Puissances à retirer, dans un délai de trois jours, les navires qui sont mouillés à Smyrne.

M. Poincaré pense que les Puissances pourraient se borner à répondre à Angora qu'elles sont disposées à examiner la question des navires le plus tôt possible et par voie diplomatique et à négocier rapidement un arrangement. Les Puissances éviteraient ainsi de laisser discuter la validité respective des armistices. La question, sans être posée en droit, serait traitée en fait. Il serait rappelé que les bâtiments sont venus à Smyrne pour protéger les nationaux et remplir une mission d'humanité à la suite d'événements d'une gravité exceptionnelle.

Le Gouvernement français serait heureux de savoir si le Gouvernement britannique verrait des inconvénients à ce qu'il soit répondu dans ce sens au Général Pellé. M. Poincaré estime, en effet, que la Grande-Bretagne, la France et l'Italie ont un égal intérêt à faire parvenir à Angora des réponses immédiates et identiques.

Le Comte de Saint-Aulaire saisit, &c.

Ambassade de France, Londres,
le 11 *février* 1923.

Enclosure in No. 277.

Déclarations de Raouf Bey au Colonel Mougin.

M. le Colonel, *Angora, le* 10 *février* 1923.

JE vous prie de bien vouloir attirer toute l'attention du Général Pellé sur l'intérêt qui s'attache actuellement à ce qu'il soit tenu le plus grand compte de l'amour propre et des sentiments d'indépendance des Ottomans.

Il y a deux jours, en mettant ma personne en avant, j'ai empêché la guerre de se produire. Il y a environ un mois, le Gouvernement a déclaré Smyrne ville fortifiée et a fixé le tonnage et le nombre des navires de guerre qui pourraient y entrer. En raison de la situation, l'État-Major général a été obligé de miner le port, ne laissant qu'un passage pour les navires de commerce. Communication en a été faite aux Hauts-Commissaires alliés, qui ont protesté et déclaré que, jusqu'à la conclusion de la paix, les bâtiments de guerre seraient libres d'entrer et de sortir dans tous les ports de la Turquie. Or, dans le protocole de Moudania, on a envisagé ces conditions seulement pour certains endroits aux environs de Constantinople. C'est le seul qui règle aujourd'hui nos relations avec les Alliés et c'est le seul que nous reconnaissons, car l'armistice de Moudros est inexistant, les Alliés l'ayant violé dix fois. Je ne comprends pas qu'on veuille déchirer le protocole de Moudania, comme la protestation que j'ai reçue le prouve amplement. Avant que je n'aie reçu cette protestation, le 8 au soir, le [?] est allé voir Adnan Bey et lui a déclaré qu'un croiseur anglais rentrerait le 8 au matin. Les forts de Smyrne voulaient ouvrir le feu. Je n'ai pas hésité à mettre ma personne en avant, car je ne veux pas qu'un incident regrettable ait lieu avant l'arrivée d'Ismet Pacha. J'ai pris personnellement une grande responsabilité vis-à-vis de mon pays. Demain, ma nation me demandera des comptes et l'État-Major général rejettera sur moi toute la responsabilité. Son chef a déjà protesté contre l'ordre que j'ai donné de ne pas tirer.

Je ne vois malheureusement pas qu'on m'aide de l'autre côté. Au contraire, je ne reçois que des notes de menace.

A quoi serve que j'attende trois jours pour qu'on règle la question. Si les navires de guerre ne sont pas retirés, je considère le protocole de Moudania comme déchiré. Il

appartient aux Alliés de dire leur décision. Avant de répondre à la note que j'ai reçue, j'attends de connaître cette décision.

Je vous serais reconnaissant de soumettre cette question de toute urgence. J'ai donné à Adnan Bey des instructions dans le même sens. Ma personne et toute la bonne volonté que je mettrais n'empêcheront pas un incident d'arriver ; il faut qu'on m'aide de l'autre côté.

Agréez, &c.
RAOUF.

No. 278.

Sir H. Dering to the Marquess Curzon of Kedleston.—(Received February 12.)

(No. 33.)
(Telegraphic.) *Bucharest, February 11, 1923*

MY telegram No. 32

Minister for Foreign Affairs read to me and my French and Italian colleagues this morning telegraphic report that Angora and Soviet Governments were on the point of signing an agreement undertaking simultaneous attack on India, Mesopotamia and Bessarabia in the event of failure of peace negotiations. I should attribute this to Russian inspiration.

I have since suggested that Minister for Foreign Affairs might in conversation with Ismet Pasha to-night again point out suicidal folly of allowing Soviet Government's personal ambitions to influence and deceive Angora Government when agreement with Allied Powers is so close to realisation, as he must himself recognise.

(Repeated to Constantinople.)

No. 279

The Marquess of Crewe to the Marquess Curzon of Kedleston. (Received February 12.)

(No. 167.) [By Bag.]
(Telegraphic.) *Paris, February 11, 1923*

THE President of the Council told me this morning that he had received serious news from Constantinople, and that he had telegraphed to M. de Saint-Aulaire to consult with His Majesty's Government on the first step to be taken. The Angora Government had demanded that the Allied ships should be withdrawn from Smyrna within three days, and if this were not done they would regard the armistice of Mudania and that of Mudros as at an end. This, of course, was an impossible demand, and the reply must be in the negative, but he thought that, at the same time, an offer should be made to discuss, through diplomatic channels, the presence of the ships at Smyrna, together with other questions. He did not himself think that, diplomatically speaking, there was a very strong case for leaving the fleet at Smyrna once the position of our nationals was safeguarded, so that it was not unreasonable to discuss the reasons that made us retain them there. In reply to a question, I said that my own opinion was that there could be no question of bowing to a threat from Turkey, and I had little doubt that His Majesty's Government would think the same. The President of the Council said that war must be avoided if possible, and that we also were deeply interested in doing so because, according to Marshal Foch, it was practically impossible to drive the Turks out of Mosul, if that became the main object of attack, owing to the difficulties of a line of communication, &c. I said that we were equally anxious to maintain peace if it could be done without humiliation, but there was a point beyond which conciliation could not go.

Reverting to Lausanne, M. Poincaré said that he could not understand how it came to be supposed that he was thinking of a separate peace, which had never crossed his mind. It was quite true that the Turks were prepared to make a separate peace with anybody, and at one time thought that the French might engage in such a transaction. The Angora Convention was strictly limited, but it could not be doubted that M. Franklin-Bouillon had said a good deal more to the Turks than he had ever put on paper, and had given them the impression that the French were almost as good as their allies. Consequently, whenever during the conference the French delegates would not act with the Turks they were looked upon as something approaching to traitors. Now the Turks could hardly understand that the two Governments were acting in concert at Constantinople, and on the question of Smyrna. As to the latter, he wished to say that if the attitude of the British Government in framing a reply to Turkey went a little beyond what that of his Government would, he would desire, if possible, to agree to what may be proposed in London.

No. 280.

The Marquess of Crewe to the Marquess Curzon of Kedleston.—(Received February 12.)

(No. 168.) [By Bag.]
(Telegraphic.) *Paris, February 11, 1923.*

I UNDERSTAND your reply to M. Poincaré's note of 4th February is on its way. I presume that its terms are severe, and, in view of the critical situation at Smyrna, I hope you will suspend its presentation until the future is somewhat clearer. As you will see from my telegram No. 167 of to-day, the French Government wish to act closely with us in this particular matter, and complaints, however justifiable, arising out of what passed at Lausanne would introduce an unfortunate complication at a dangerous moment.

No. 281

The Marquess of Crewe to the Marquess Curzon of Kedleston.—(Received February 12.)

(No. 172.) [By Bag.]
(Telegraphic.) *Paris, February 11, 1923.*

M. ANDRÉ TARDIEU, in to-day's "Echo national," again strongly advocates revision of the Lausanne Treaty, rendered possible by Turkish folly in refusing to sign it. That revision was indispensable for French financial, economic and moral interests, and on the latter point France and Great Britain would have to save their credit, which would be strongly affected if things remained as they were. M. Tardieu then proceeds to sketch the Armenian question from 1882, when there were 2,700,000 Armenians in Turkey, up to the present day, when there were only 200,000. He recalls repeated promises of the Great Powers in general and M. Poincaré in particular to reconstitute an Armenian home, and the fruitless efforts of the Allied delegates at Lausanne in favour of the Armenians. He declares that incredible weakness of Europe towards Turks at Lausanne explains Ismet's arrogant resistance and final refusal, as well as Smyrna incident. The Western Powers had never within Turkish memory allowed themselves to be so treated. Promises made to the Armenians should have been fulfilled; and if that race in mourning had been properly defended, it would have been easier to resist on other points—financial, economic and juridical. "Car tout se tient en un tel débat et c'est en bloc qu'on se fait respecter ou bafouer. L'Europe a choisi d'être bafouée: elle le paiera peut-être plus cher qu'elle ne croit."

No. 282

Mr. Henderson to the Marquess Curzon of Kedleston.—(Received February 12.)

(No. 77.)
(Telegraphic.) D *Constantinople, February 12, 1923.*

I AM informed by Adnan Bey that Ismet Pasha will arrive in Constantinople to-morrow morning.

According to Admiral Bristol, who has returned here and who travelled part of the way with Ismet, only reason for non-signature of treaty by Turks was inability to understand exact meaning of economic clauses, and unwillingness to sign "blank cheque." This appears specially to be the case in respect of confirmation by Turkish

Government of all contracts and agreements made by old Government since 1918 (? articles 70, 87 and 94 in treaty as communicated 31st January).

According to Bristol, insistence on immediate signature of imperfectly understood economic clauses revived all Ismet Pasha's doubt as to sincerity of British desire for peace. He kept repeating this doubt to Bristol, who apparently tried his best to explain that while England would undoubtedly fight if attacked she was honestly seeking peace.

Ismet's failure to realise obvious facts is, I fear, typical of Turkish mentality. I receive almost daily communications from Reouf with frivolous accusations of warlike preparations being made by British ships at Smyrna. Repeated charges of British aeroplanes crossing neutral line are another case in point. Their continued mistrust after immense efforts and repeated assurances in Lausanne and here, however deplorable, is factor to reckon with, and dangerous because inspired, in my opinion, principally by fear. It is "back up against a wall" mentality.

Ismet told Bristol that he was resolved to do all in his power to get treaty approved by Angora. (End of D.)

Would it be possible to tell Ismet that, while further discussion is otherwise out of the question, if Grand National Assembly accepts all points of treaty, to which he has already signified agreement, His Majesty's Government would be prepared to resume "on basis of remodelling economic clauses only"?

No. 283

Mr. Henderson to the Marquess Curzon of Kedleston.—(Received February 12.)

(No. 79.)
(Telegraphic.) D. *Constantinople, February 12, 1923.*

KEMAL has gone to Smyrna. Previous intention had been to go to Ismid to meet Ismet Pasha, but delay in latter's journey has probably induced Kemal to take an opportunity of taking stock himself of the situation at Smyrna and of conferring with Fevzi Pasha, leader of military party, which is said to be pressing for war.

Rôle of Fevzi seems increasingly important and somewhat ambiguous. Adnan Bey, who is a convinced pacifist, and worked for two years in the same office with him at Angora, assured me recently that while a typical warlike soldier, he is not a blind extremist, but fundamentally sound and sensible. On the other hand, Reouf Bey told Colonel Mougin that Fevzi was furiously angry at his orders for batteries to fire on British man-of-war entering Smyrna being countermanded by Reouf on latter's own responsibility

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No. 284

Mr. Henderson to the Marquess Curzon of Kedleston.—(Received February 12.)

(No. 80.)
(Telegraphic.) *Constantinople, February 12, 1923.*

MY telegram No. 73.

Adnan Bey begged most earnestly to-day that some action might be taken by Allies, and especially England, to liquidate Smyrna difficulty, which was complicating whole situation.

He read me further message from Reouf to that effect, and giving at length reasons for which present Turkish Government was unable to recognise Mudros Armistice. He told me he had also received telegram from Mustapha Kemal from Smyrna on lines of Reouf's previous message, reported in my telegram above mentioned.

I told Adnan that I had not yet received reply from your Lordship to my previous suggestion, and that Allied Governments were not likely to give way in question of principle. He said situation was now six days old, and that Turks had taken first step towards legitimising situation by showing both by assurances and, in fact that they had no hostile intention. Adnan begged, therefore, that England should show some sign of goodwill and of wish to smooth over difficulties by withdrawing again all her warships except the one light cruiser originally in Smyrna.

He said that for his part he would suggest to his Government propriety of increasing tonnage stipulated in Turkish regulations.

I am of opinion that we can afford to do this much now. In addition to original warship, French have only sent to Smyrna two or three small craft of less than 1,000 tons.

It would be desirable, if possible, to find solution before opening of Turkish Economic Congress at Smyrna on 15th February, and before Ismet, who arrives here about noon to-morrow, 13th February, leaves again. If I were authorised to tell him that His Majesty's Government, relying on Turkish assurance of absence of any hostile intentions, were withdrawing British warships, with single exception mentioned, it would, I think, have good effect, without encouraging military bluffers.

No. 285.

Mr. Henderson to the Marquess Curzon of Kedleston.—(Received February 12.)

(No. 81.)
(Telegraphic.) R. *Constantinople, February 12, 1923.*

FOLLOWING from British Chamber of Commerce:

Council of British Chamber of Commerce of Turkey have read with astonishment and resentment articles on Near East question in the 'Daily Mail' of 5th and 6th February, which have been reproduced in local press. Needless to detail to your Lordship reasons for objecting to tenor of articles, which are apparently written by someone either ignorant of Turkey or consciously ignoring facts. Desire to emphasise that British community here is solid in supporting your attitude at Lausanne and efforts made to create a friendly feeling between the two peoples.

2. While thanking your Lordship for what has been done to give indispensable protection to Britons in trade here, hope position will be maintained. In the opinion of council these sentiments would be homologated by all Allied subjects in Turkey."

[E 1639/1/44] No. 286.

The Marquess Curzon of Kedleston to Mr. Henderson (Constantinople).

(No. 33.)
(Telegraphic.) *Foreign Office, February 12, 1923.*

YOUR telegram No. 71 of 9th February: Situation in Turkey.

I deprecate suggested course of action. At the moment there are indications that, at any rate, one party among the Turks wishes to follow a friendly and conciliatory policy towards Great Britain, and it is, indeed, possible that Ismet may still wish to sign the treaty on the terms finally offered him, and may persuade Mustafa Kemal and Angora that this should be done. Situation in this respect should be clearer when you or General Harington have seen Ismet Pasha and given him the friendly message outlined in my telegram No. 31

Meanwhile an ultimatum such as you propose would incur risk of stirring up the hornets' nest, the existence of which at Angora you appear from the opening paragraphs of your telegram to fear. Just now it would appear to be more than ever important to pursue cautious policy and to avoid anything calculated to precipitate a crisis.

In the circumstances, you should follow the line of policy given in my telegram No. 31 and await developments.

No. 287.

The Marquess Curzon of Kedleston to Mr. Henderson (Constantinople).

(No. 34.)
(Telegraphic.) *Foreign Office, February 12, 1923.*

YOUR telegrams Nos. 73 and 75 of 10th and 11th February: Warships at Smyrna.

French Ambassador here has given us substance of declarations made by Reouf Bey to Colonel Mougin at Angora on 10th February

M. Poincaré suggests identic action at Constantinople, comprising a refusal of the Turkish ultimatum, but an offer to examine the question of the ships as soon as possible by the diplomatic channel with a view to negotiate an early arrangement. He wishes apparently to avoid any discussion of the validity of the armistices of Mudros and Mudania, this question being settled in fact, provided the Smyrna instance can be concluded by some *ad hoc* arrangement. He suggests recalling to the Turkish Government that the Allied warships at Smyrna are there to protect Allied nationals and to fulfil the mission of humanity.

I am in agreement with him regarding necessity of joint action and refusal of ultimatum. I am also prepared to discuss some arrangement through diplomatic channel, but I do not consider that Turkish refusal to recognise armistices can be completely passed over in silence.

I am therefore suggesting to M. Poincaré that Allied High Commissioners at Constantinople should be instructed to despatch note to Adnan Bey on the following lines:—

(D.) "The Allied Governments continue to regard the armistice of Mudros as governing the relations between Turkey and the three Allied Governments. The armistice of Mudania, which, of course, continues equally in force, was framed for the purpose of terminating hostilities between Greece and Turkey, and for the three specific objects stated in the opening paragraphs of the Mudania Convention of 11th October itself. In particular, that convention contains no clause which has any bearing upon the position of Allied ships at Smyrna."

The note might continue by pointing out that throughout the Peace Conference the Turkish delegation had continually invoked the date of the armistice of Mudros when it suited their purpose, notably as concerns the division of the debt in the Financial Commission and in putting forward their claim to the town of Mosul on the basis of the first article of the National Pact. In these circumstances the Allies regard themselves as having full liberty to send ships to Smyrna to protect their nationals, the property of their nationals, and the carrying on of peaceful commerce between the Allies through this port. In a desire, however, to show every legitimate consideration for the views and susceptibilites of the Turkish Government, the Allied High Commissioners are prepared, in consultation with the Allied naval authorities, to discuss with the Turkish Government the possibility of limiting the number of Allied vessels at Smyrna required for the purpose of protecting Allied nationals, their property and their commerce, on the understanding that the controversy concerning the armistice is not further pursued and that assurances will be given by the Turkish Government that the safety of any Allied warships will in no way be impaired by any future Turkish regulations, and that such warships will be free to enter and leave Turkish ports after giving due notice to the local authorities, in accordance with the usual practice followed by all maritime States.

The note might conclude by expressing the hope that an early signature of the terms of peace offered to Turkey at Lausanne will provide a speedy return to normal conditions in this and other Turkish ports.

You should draft a note on the above lines to Adnan Bey as soon as your French and Italian colleagues receive similar instructions.

(Repeated to Rome, No. 44.)

No. 288

The Marquess Curzon of Kedleston to the Marquess of Crewe (Paris).

(No. 64.)
(Telegraphic.) *Foreign Office, February 12, 1923.*

YOUR Lordship's telegram No. 168 of 11th February.

My despatch No. 473 will now have reached you. The reply which I am making to the French Ambassador's note on the Smyrna affair, and of which a copy will go to you by to-night's bag, will show that we are in general agreement with the French Government as to the line of action to be taken in this question. Foreseeing no disaccord on this point, I do not imagine that M. Poincaré's attitude is likely to be unfavourably affected by my reply to the charges contained in his note of 8th February. Further, the reply itself is couched in language more moderate than you may have been led to expect by the terms of my original protest delivered by Sir E. Crowe to the French Ambassador.

No. 289.

The Marquess Curzon of Kedleston to Sir R. Graham (Rome).

(No. 44.)
(Telegraphic.) D. *Foreign Office, February 12, 1923.*

YOUR telegram No. 28 of 9th February: Message of thanks to Swiss authorities.

Letter in question, prepared by M. Massigli, dated 5th February and actually signed by the Marquis Garroni, carefully avoids language from which definite end of conference could be inferred. It begins: "At the hour when the Lausanne Conference is suspending its labours." It refers merely to the departure of the three plenipotentiaries, and the concluding paragraph begins: "It has unfortunately not been possible up to this moment to realise," &c.

It seems, therefore, absurd, and could only be interpreted as an act of discourtesy to delay the communication of this message of thanks to the Swiss authorities from the heads of the three delegations, and you should ask Signor Mussolini accordingly at once to send necessary instructions to Italian Minister at Berne.

No. 290

The Marquess Curzon of Kedleston to Sir R. Graham (Rome).

(No. 46.)
(Telegraphic.) *Foreign Office, February 12, 1923.*

MY telegram No. 34 to Mr. Henderson.

Please inform Signor Mussolini, and ask him to instruct Italian representative at Constantinople to join his French and British colleagues at as early a date as possible in despatch of note to Adnan Bey.

E 1753 16 44.

No. 291.

The Marquess Curzon of Kedleston to Count de Saint-Aulaire.

THE Secretary of State for Foreign Affairs presents his compliments to the French Ambassador, and has the honour to state that he has carefully considered Count de Saint-Aulaire's memorandum of the 11th February regarding the situation at Smyrna.

2. Lord Curzon has also received a telegram from the acting British High Commissioner at Constantinople reporting the verbal message from Raouf Bey given by Adnan Bey to Mr. Henderson and his colleagues on the 10th February in reply to the joint Allied note of the 8th February respecting Smyrna. Mr. Henderson states that the substance of this reply was that the Angora Government could not permit the unconditional presence of warships in Turkish ports, and especially fortified ports, that the Turkish Government were ready to discuss the issue on the basis of equality, but that reciprocal goodwill was necessary if a solution was to be found. Mr. Henderson adds that the general tone, except for the refusal to admit the restricted movements of foreign warships, and except for the non-recognition of the Mudros Armistice thereby implied, was conciliatory. It appears therefore that the personal declarations of Raouf Bey to Colonel Mougin of the 10th February, a copy of which was enclosed in Count de Saint-Aulaire's note under reply, were more emphatic and unconciliatory in tone than the message from the same official transmitted by Adnan Bey on the same date to the Allied representatives at Constantinople. In particular, no explicit mention appears to have been made by Adnan Bey of the non-existence of the Armistice of Mudros, of the carrying out of the Protocol of Mudania, or of the necessity for the Allied warships to retire in three days. In fact, Raouf Bey would seem to have somewhat modified his attitude before sending definite orders to Constantinople.

3. Lord Curzon entirely agrees with the French President of the Council that it is essential for the three Allies to take identic and united action in this matter at Constantinople and Smyrna, and that it is impossible for them to accept the ultimatum which appears to have been addressed at any rate by Raouf Bey to Colonel Mougin at Angora, regarding the withdrawal of the Allied warships from

Smyrna within three days. Lord Curzon further agrees that this matter should be discussed by the three Allied High Commissioners with the Turkish Government through the diplomatic channel at Constantinople. On the other hand, he is not disposed to consider that the three Allied High Commissioners should avoid any discussion of the validity of the Armistices of Mudros and Mudania. It seems to him necessary that the Turkish Government should be given clearly to understand that the Allies must continue to regard these armistices as governing the relations between the Allied Governments and the Turkish Government pending the conclusion of definitive peace.

4. In these circumstances, Lord Curzon suggests that the three Allied High Commissioners at Constantinople should be instructed to address a note to Adnan Bey jointly on the following general lines:

> "The Allied Governments continue to regard the Armistice of Mudros as governing the relations between Turkey and the three Allied Governments. The Armistice of Mudania, which of course continues equally in force, was framed for the purpose of terminating hostilities between Greece and Turkey, and for the three specific objects stated in the opening paragraphs of the Mudania Convention of the 11th October itself. In particular, that convention contains no clause which has any bearing upon the position of Allied ships at Smyrna."

The note might continue by pointing out that throughout the peace conference the Turkish delegation had continually invoked the date of the Armistice of Mudros when it suited their purpose, notably as concerns the division of the debt, in the Financial Commission and in putting forward their claim to the town of Mosul on the basis of the first article of the National Pact. In these circumstances, the Allies regard themselves as having full liberty to send ships to Smyrna to protect their nationals, the property of their nationals, and the carrying on of peaceful commerce between the Allies through this port. In a desire, however, to show every legitimate consideration for the views and susceptibilities of the Turkish Government, the Allied High Commissioners are prepared, in consultation with the Allied naval authorities, to discuss with the Turkish Government the possibility of limiting the number of Allied vessels at Smyrna required for the purpose of protecting Allied nationals, their property and their commerce, on the understanding that the controversy concerning the armistice is not further pursued, and that assurances will be given by the Turkish Government that the safety of any Allied warships will in no way be impaired by any future Turkish regulations, and that such warships will be free to enter and leave Turkish ports after giving due notice to the local authorities in accordance with the usual practice followed by all maritime States.

5. The note might conclude by expressing the hope that an early signature of the terms of peace offered to Turkey at Lausanne will provide a speedy return to normal conditions in this and other Turkish ports.

6. Lord Curzon is arranging for the above proposal to be telegraphed to Mr. Henderson at Constantinople with instructions to address a note in this sense to Adnan Bey as soon as his French and Italian colleagues receive similar instructions.

Foreign Office, February 12, 1923.

No. 292.

The Marquess of Crewe to the Marquess Curzon of Kedleston.—(Received February 13.)

(No. 174.) By Bag.
(Telegraphic.) *Paris, February 12, 1923.*

THE Quai d'Orsay kept the news of the latest ultimatum from the French press. Last night's newspapers did not mention the subject, and this morning it is, with two exceptions, only mentioned in the form of a Reuter telegram from London.

"Pertinax," in the "Echo de Paris," enquires whether the French Government still consider themselves bound by the concessions made to the Turks by M. Bompard over the economic and financial clauses of the treaty, and declares that the only way to safeguard French interests compromised at Lausanne would be to bring the Turks to reason by some telling threat. The French, however, engaged as they were in

German affairs, could not send a large expeditionary force to the East, but could only add some warships to the British fleets. As a last resort, however, pressure might be exercised at Constantinople by Greece, Roumania and Jugoslavia.

M. Philippe Millet, in the "Paris-Midi," attributes the latest Turkish attitude to Bolshevik influence. He refers to the Greek conviction that they could easily overcome the Turkish forces in Eastern Thrace, and that if the Allies helped them they could eject the Turks from Europe. Whether this were true or not, the Turks would be well advised not to expose themselves to a disagreeable surprise, for they risked losing Constantinople and Europe; but it was possible that they would refuse to listen to reason owing to a possible secret *entente* on the subject between Germany, Russia and Turkey.

M. Gauvain, in "Journal des Débats," observes that the first precautionary measure which the Allies should take is to prevent the formation of a large Turkish army in Thrace, for the Kemalists must not be allowed to crush the Greeks in Europe. The reconstituted Greek army would now be able to reoccupy Eastern Thrace. He did not advise them to take any initiative in doing so, but if the Turks sought to install themselves militarily in Thrace it would be the duty of Greece to oppose them with the superior force which she now possessed, and it would also be the duty of the Allies to assist with all their might an operation which was in conformity with their vital interests.

M. Herbette, in the "Temps," belittles the latest Turkish ultimatum, and contents himself with observing that what is described as an ultimatum is merely a declaration by the Turkish President of the Council to the effect that the Turkish Government desired to hasten a settlement of the Smyrna question within three days. He expresses the hope that Ismet will see General Harington on his way through Constantinople, and that the French and Italian representatives will participate in that conversation.

No. 293.

(No. 82.)
(Telegraphic.) *Constantinople, February 13, 1923.*

YOUR telegram No. 33.

There are certainly indications that policy of good relations with Great Britain is gaining ground here. But party in favour of it is timid and afraid lest its advances meet with the same rebuff as in its opinion similar advances have encountered in the past.

A little encouragement would, in my opinion, be undoubtedly helpful. It is for this reason that I earnestly beg that, having shown all requisite firmness in respect of Smyrna incident, we may now give proof of our own conciliatory attitude by withdrawing again all additional warships recently sent to Smyrna. I regard assurances given as to absence of hostile intentions as the most obtainable at present and as proved by facts.

I am most anxious on political grounds that ships should withdraw before economic congress at Smyrna opens and before Ismet Pasha, whose departure from Roumania is reported to be again delayed, leaves Constantinople. Moreover, such an attitude would appear in entire conformity with policy outlined in penultimate paragraph of your telegram under reply.

No. 294.

Mr. Henderson to the Marquess Curzon of Kedleston.—(Received February 13.)

(No. 83.)
(Telegraphic.) *Constantinople, February 13, 1923.*

MY despatch No. 35.

Mustapha Kemal received acting consul-general at Smyrna yesterday. Attitude of former appears to have been friendly. He readily undertook restoration and protection of British church. He expressed regret at delay in signature of peace, but made no reference to local situation.

No. 295.

Mr. Henderson to the Marquess Curzon of Kedleston.—(Received February 13.)

(No. 84.)
(Telegraphic.) *Constantinople, February 13, 1923.*

I RECEIVED your Lordship's telegram No. 34 after despatch of my telegram No. 82.

I do not regard "ultimatum" made by Reouf Bey to Colonel Mougin as having been intended to be in any way official. As stated in my telegram No. 75, I believe it to have been meant as pressure on French. Official communication was that reported in my telegram No. 73. Turkish attitude since 10th February had been one of endeavouring to back down without abandoning pretentions to impose restrictions on foreign warships in Turkish ports. Angora will not abandon this claim. At the same time they do not mean to try and enforce it unless they regard themselves as seriously threatened, which they did on 5th February. They are looking for excuse to get out of situation without losing too much face.

Text of proposed communication in your telegram No. 35 will afford this, though I deprecate too much insistence on [? Mudros], since, though Turks may tacitly submit to our view, they will not admit it.

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No. 296

The Marquess Curzon of Kedleston to Mr. Henderson (Constantinople).

(No. 36. Confidential.)
(Telegraphic.) *Foreign Office, February 13, 1923.*

YOUR telegram No. 77 of 12th February and General Harington's telegram No. 3611 of 10th February to War Office: Admiral Bristol and Ismet Pasha.

Unfortunately there is good ground for believing that Admiral Bristol and his economic experts, Messrs. Gillespie and Wheeler, may have played some part in inciting the Turks to reject economic clauses as a whole at the last minute. For instance, American experts expressed themselves strongly in private regarding wording of article 94 (which might be held to validate such concessions as those of the Turkish Petroleum Company) and articles 80 and 97 as inimical not to Turkish but to American interests. Ismet Pasha himself seemed never to understand, nor, until the last day, to care much about the economic clauses. It is therefore quite probable that Admiral Bristol is informing you and General Harington of what he wished Ismet Pasha to say, or of what he encouraged Ismet Pasha to think and say.

As you know, economic clauses, and in particular article 94, are of importance to British as well as to French and Italian interests, although it may be true that, as a whole, the economic clauses are more essential to two latter. In any case, on the last day of the conference we went as far as the French and Italians were willing to go in agreeing that articles 82, 84, 91, 92, and the annex to article 83 in the economic clauses, should not come into force for six months, and should be open to examination and revision by Turkey and the Allies during this period. I see no reason at this moment to offer Ismet Pasha any further concession on this point, and you should be careful not to give any Turk or Admiral Bristol reason to believe that such a course is under consideration.

No. 297

The Marquess Curzon of Kedleston to Sir R. Graham (Rome).

(No. 47.)
(Telegraphic.) R. *Foreign Office, February 13, 1923.*

FRENCH Government informed us on 6th February that Ismet Pasha had expressed on 5th February willingness to accept the Turkish draft declaration regarding judicial régime for foreigners in Turkey, as strengthened by amendments inserted in it by Signor Montagna on 4th and 5th February. We are entirely in the dark as to what Signor Montagna put into the draft. Please obtain full text, as amended, from Signor Montagna as soon as possible and telegraph it.

No. 298.

Mr. Bentinck to the Marquess Curzon of Kedleston.—(Received February 14.)

(No. 66.)
(Telegraphic.) *Athens, February 13, 1923.*

LAST week representative of War Graves Commission at Gallipoli was cross-questioned when here by Minister for Foreign Affairs and Minister of Agriculture as to probable attitude of British naval forces in the event of Greek warships going up Dardanelles.

Yesterday British vice-admiral complained to Minister of Marine that certain transfers of naval personnel from schools to ships had been made without his knowledge. In apologising, Minister of Marine and Chief of Staff stated that, owing to crisis, formality had been overlooked, and added that necessary measures of precaution were being taken with knowledge and approval of His Majesty's Government.

Inference seems to be that preparations are being made for immediate dash to Bosphorus if war breaks out.

Press is more strictly censored, but is calmer to-day.

No. 299.

The Marquess of Crewe to the Marquess Curzon of Kedleston.—(Received February 14.)

(No. 180.) [By Bag.]
(Telegraphic.) *Paris, February 13, 1923.*

YOUR telegram No. 64.

I quite apprehend the position, especially since I have read your despatch No. 473. I am arranging to see the President of the Council to-morrow, and will at the same time inform him of the Greek note enclosed in your despatch No. 491 and of your reply to it.

No. 300.

Mr. Henderson to the Marquess Curzon of Kedleston.—(Received February 14.)

(No. 85.)
(Telegraphic.) D. *Constantinople, February 14, 1923.*

JUDGING from press and other indications at Constantinople, there is increasing tendency in favour of immediate signature of peace. Attitude at Angora is of course quite different, but in a telegram dated 12th February, Colonel Mougin reports strong reaction, headed by Reouf and Fethi Beys, against extremists. He is of opinion that much depends on whether Mustapha Kemal is prepared to come forward definitely in favour of peace.

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No. 301.

Memorandum communicated to French Ambassador.

(Confidential.)

THE memorandum, bearing date of the 7th instant, communicated to this Office by the Count de Saint-Aulaire, calls attention to certain observations made, on the instructions of the Secretary of State, by Sir Eyre Crowe in conversation with the Ambassador on the preceding day, on the subject of what passed at Lausanne, in the closing stages of the conference, before its recent adjournment.

2. The memorandum contains a number of statements on the respective rôles played by France and by Great Britain at that conference, which it is now unnecessary to discuss further, since they have been fully dealt with and answered in Lord Curzon's despatch to Lord Crewe, of which a copy will by now be in M. Poincaré's hands.

3. M. Poincaré is good enough to ascribe to a complete misunderstanding certain views expressed by Sir Eyre Crowe, notably as regards an intention of the French

Government to throw upon Great Britain the responsibility for a rupture of the peace negotiations with Turkey, and to follow this up by obtaining in favour of France special advantages in the East by the conclusion of a separate peace.

4. His Majesty's Government are only too glad to take note of, and unhesitatingly accept, M. Poincaré's assurance that no such intention has ever been harboured by the French Government. He is, however, quite mistaken if he believes that the remarks made by Sir Eyre Crowe, to which reference is evidently made, purported to be founded on any pretended secret information in the possession of His Majesty's Government. Their views of the attitude of the French Government are based on nothing less authoritative than French official communications and official acts, and if they have misunderstood the views of the French Government, they do not feel that they are to blame in the matter.

5. The contention of the French Government that the pact of 1914 had lapsed and that France was now free to make a separate treaty with Turkey in order to safeguard particular French interests, had been formally advanced in M Poincaré's note to Lord Crewe of the 30th January. The memorandum under reply does not repudiate it. It only declares that M. Poincaré's communication on this subject was restricted to the British and Italian Governments and that the French Government never informed Turkey. They must, however, be aware that the French thesis was fully expounded in the columns of the "Temps" newspaper, in a form which, rightly or wrongly, created the impression that it represented the opinions of the Quai d'Orsay. There can be no doubt that it was so understood by the Turkish delegation at Lausanne.

6. The assurance that the claim to the right to conclude a separate peace with Turkey was but a theoretical reservation, on which the French Government had had no intention, so far, to act, is welcomed. But His Majesty's Government may be pardoned for not having so understood it, and they note with regret that it leaves the future still uncertain.

7. As regards Sir Eyre Crowe's allusion to an apparent intention on the part of the French Government to throw the responsibility for the failure to conclude a peace with Turkey on this country, this can be correctly understood only by reference to the context in which it was made.

8. Sir Eyre Crowe prepared a careful note recording what had passed at the interview with Count de Saint-Aulaire immediately afterwards, whilst his memory was still quite fresh. It may therefore be permitted to quote from that record the passage relating to this particular point.

9. The note recites how the French Ambassador pressed for the acceptance of a proposal put forward by M. Poincaré, that the Allies should agree to sign the treaty as presented to the Turkish delegation at Lausanne, but with the omission of the whole of the economic clauses, and to accept the Turkish declaration concerning the judicial régime, not in the form agreed upon by the Allied delegations, but in the form demanded by the Turks, with some amendments proposed by the second Italian plenipotentiary. Sir Eyre Crowe, having explained certain contradictions in the terms in which this proposal was put forward and the difficulties which stood in the way of its being accepted as it stood, the Ambassador, to quote the words of Sir Eyre Crowe's note, "said that, in his opinion, the essential factor was that the French Government were prepared to make the further concession asked for by the Turks, both as regards Capitulations and as regards the economic clauses, and he urged that, as these parts of the treaty concerned French interests very much more nearly than British interests, the British Government ought not to place themselves in the position of wrecking the treaty by obstinately holding out on points of comparatively minor importance to ourselves, when France was ready to yield. He felt sure that the world would not understand how Great Britain could adopt such an attitude."

10. Sir Eyre Crowe took strong objection to this intimation, which, he said, rather sounded like a menace. His note records as follows his further remarks: "I must ask his Excellency to allow me to say that our interests in these matters were by no means negligible, and if we held that the vital interests of British subjects involved ought not to be sacrificed, we had taken this line in absolute reliance on the most positive and categorical assurance from the French and Italian delegations that they, on their part, and their Governments, considered it absolutely impossible to give way in this matter. Lord Curzon had clearly and deliberately put it to those two delegations before the final interview with the Turks, whether this was their last word, pointing out that it would not do at this concluding stage of the negotiations to tell the Turks that on this point further concessions were out of the question unless he could rely on this declaration being upheld by all the Allies acting together. It was

on their assurance that no other course was possible that the Turks were finally informed that on the subject of Capitulations and the economic clauses the last word of the Allies had been spoken. In these circumstances, for the French Government to intimate that if the British Government adhered to so solemn an engagement, entered into with the French and Italian delegations, they would be denounced to the world as thereby jeopardising peace, in opposition to the conciliatory attitude of France and Italy, was adopting a position which could hardly be described as anything else than a determination, whatever happened, to throw the blame for the failure of the treaty on Great Britain."

11. It will be seen that Sir Eyre Crowe's remark, which has provoked the lengthy comment in the memorandum under reply, expressed a hypothetical judgment on a possible situation conjured up by the terms of the Ambassador's representation.

12. The above explanations will, it is hoped, convince the French Government that, whatever divergence of opinion may exist between them and His Majesty's Government, there is no occasion to attribute to the latter any unavowed suspicions as to French policy. His Majesty's Government have never desisted, and do not now propose to desist, from an attitude towards France of loyalty and candour.

Foreign Office, February 14, 1923.

[E 1245/1/44] No. 302

The Marquess Curzon of Kedleston to the Marquess of Crewe (Paris).

(No. 527.)

My Lord, *Foreign Office, February 14, 1923.*

IT was with much surprise that I received at Lausanne on the 31st ultimo, at the very moment when the treaty drawn up by the allied Representatives was being presented to the Turkish delegation, your Lordship's telegram No. 122, giving the text of a note addressed to you by M. Poincaré, which contained a formal repudiation, on the part of France, of the engagement entered into by her on the 5th September, 1914, and an expression of the intention of the French government, in the event of the allies being unable to conclude a common peace, to negotiate separately with Turkey, in order to safeguard the special interests of France.

2. In justification of this threatened breach of a solemn compact entered into at one of the gravest moments in the history of our respective countries, M. Poincaré, in his note, contends that the agreement of the 5th September, 1914, applied only to the duration of the war and to the period necessary for the negotiation of peace, a period which, so far as Turkey is concerned, he declares to be at an end, the recent Greco-Turkish conflict being, in his view, a separate war which has modified the position of the allies to their disadvantage, and created a new situation altogether different from that in which the Declaration of 1914 was signed. M. Poincaré further defends the position he had taken up by arguing that the prolongation of the war with Turkey was the fault of Greece, supported by Great Britain.

3. I will deal presently with the first of these arguments. As regards the second, it is not necessary to enter here into the vexed controversy as to the responsibility for the hostilities which have for so long continued in Anatolia. I need only recall that they were the direct outcome of the despatch of Greek forces to Asia Minor in May 1919 on a mandate from the Supreme Council in Paris. For this mandate the French government shared full responsibility, and at a later date it was solemnly confirmed by the allocation of Smyrna to Greece under the terms of the treaty of Sèvres—a treaty that also bore the signature of France. The stimulus which the presence of the Greek army of occupation in Asia Minor undoubtedly gave to the Turkish nationalist movement, and the extent to which this movement rendered it increasingly difficult to obtain acceptance of the treaty of Sèvres, may well be adduced as showing that the original decision of the Supreme Council represented a policy incapable of practical realisation. The question now at issue, however, is not whether the decision was wise or the reverse, but whether the responsibility for the trouble that arose in its train was not incurred by France in an equal degree with Great Britain and her other allies. To this question, there can be but one answer.

4. The contention that the British government afforded assistance to Greece in money and material has been repeated in almost every country, except in Greece itself. It rests on no foundation. The Greek government obtained no money from His Majesty's government, and no munitions. But, according to the Greeks themselves, it

was largely from France that they obtained such material as they were able to acquire. At the same time it is notorious that no inconsiderable portion of the armament and the munitions which enabled the Turkish army ultimately to win the victory over the Greeks and to expel them, root and branch, from Asia, came from French sources and, in part, after the French retirement from Cilicia, from French government stocks. Thus did France make a not insignificant contribution to the progress and the result of that warfare which M. Poincaré so justifiably deplores.

5. Not content with wrongly charging the British government with a special degree of responsibility for the continued Greek resistance to the forces of Angora, M. Poincaré, in his note, bases a none too friendly attack on myself on the correspondence which passed between M. Gounaris and me last spring. If he will re-read the note which I addressed to M. Gounaris on the 6th March last, he will find that I expressly stated that the only hope for Greece was to place her case in the hands of the allied Powers and to trust to their diplomatic intervention to secure peace. My note was couched in terms of courtesy in reply to the frank statement which M. Gounaris had given me of the unfavourable military position in which the Greek army then stood. It would have been singularly ungracious to answer such a note with any harsh and unsympathetic language. But the purport of my answer was in no sense equivocal, in that it informed the Greek government, as, indeed, I had personally informed M. Gounaris four months earlier, that the moment had arrived when they must submit to the diplomatic mediation of the Powers rather than invite further military disaster. No one should be better aware of this than M. Poincaré himself, since on my return in January 1922 from Cannes, where I had arranged for an almost immediate conference at Paris in order to press Allied mediation equally upon Turkey and Greece, with the view of securing the prompt but peaceful retirement of the Greek armies from Anatolia, I had the pleasure of seeing M. Poincaré, who had just become Président du Conseil, and of concerting with him an early meeting of the proposed conference—a meeting which was in fact only delayed till the latter part of March owing to the retirement of the Italian Premier, Signor Bonomi, who was to have represented Italy, at it. The suggestion therefore, which is directly made in M. Poincaré's note that the adventurous policy of Greece received support from me, is not only contradicted by the known facts of the case, but is wholly without justification.

6. The essential importance of M. Poincaré's note lies, however, not so much in the recriminations which he has chosen to address to His Majesty's government in respect of the past, as in the warning which he utters regarding the future. His language appears to admit of no other interpretation than one which implies a formal repudiation by France of the pact of September 1914. It is difficult to follow the reasoning by which he arrives at the conclusion that this pact no longer applies.

7. The stipulations contained in the agreement of the 5th September, 1914, were absolutely precise; and it is to be noted that they were textually re-affirmed, subsequently to the entry of Turkey into the war—at the time when Italy had joined the allies—by the Declaration of the 20th November, 1915. By these stipulations, the allied governments mutually engaged "not to conclude peace separately during the present war," and agreed "that when terms of peace come to be discussed, no one of the allies will demand conditions of peace without the previous agreement of each of the other allies."

8. There is no question here of a "period necessary for the negotiation of peace," which M. Poincaré now categorically announces, on his own authority, to have terminated—"Ce temps est passé." How "the present war," which, according to the agreement, is the period during which no separate peace is to be made, can be declared to have ended before peace has in fact been concluded, is not understood. At none of the numerous allied conferences at Paris between the representatives of France, Great Britain and Italy, which I have had the honour to attend in the time both of M. Poincaré and his predecessors, has it ever been suggested that the war with Turkey was over, or that the period necessary for the negotiation of peace had passed. On the contrary, every one of those conferences was directed to bringing the unterminated war to a termination and to adapt the allied conditions of peace to the altered circumstances of the hour. Why were the three great allies thus continually and earnestly collaborating, except upon the assumption that peace could only be concluded by them in common? If all the while the fatal hour was approaching when collective responsibility was to cease and individual initiative was to take its place, why was no hint of the impending revulsion ever given? It cannot, surely, be argued that the words "the present war" in the Declaration of 1915, do not cover the war between

the allies and Turkey, and that we are now dealing only with what M. Poincaré terms the separate war ("guerre particulière") between Greeks and Turks. No doubt the treaty which the allies have been endeavouring to conclude at Lausanne was to put an end to the war between Greece and Turkey. But much more was it intended to establish peace between Turkey and the allies and to substitute for the unratified treaty of Sèvres an instrument which should definitely terminate the state of hostility still existing between the Turkish State and the Powers who declared war against Turkey in 1914. How then can it be maintained that the Declaration of 1915 does not preclude France from entering into a separate peace with Turkey?

9. Furthermore, to revert to the explicit proviso that when terms of peace come to be discussed, no one of the allies will demand conditions of peace without the previous agreement of each of the other allies: when M. Poincaré now says that the time necessary for the peace negotiations has passed, it is not understood how this position can possibly be sustained. Has not M. Poincaré himself insisted with great force, in another note, to which I have already had the honour to reply—in my despatch to your Excellency No. 473 of the 9th February—that there has been so far no break in the negotiations, that they continue, and that it is of the utmost importance to resume the discussions with the Turks at the point where they were left at the moment of the temporary adjournment of the Lausanne Conference? In the note now under reply it is said that when it becomes impossible ever to arrive at a collective peace between the allies and Turkey, it would be unreasonable to contend that no separate treaty might be concluded with that Power by any one of the allies. The contingency so contemplated must be assumed to be a failure on the part of the allies to agree among themselves as to the conditions of peace to be put forward in common, the implication being that it ought not to be left in the power of one recalcitrant ally, or group of allies, to prevent the conclusion of peace by holding out against conditions considered acceptable by the others. Without here entering on a discussion of the juridical value of this argument in the light of the very precise language of the Declarations of 1914 and 1915, I would observe that the above is not the contingency which has actually arisen, or which is threatening to arise. It is a very different situation with which the allies are at present faced. There is no disagreement between them as to the conditions of peace. On the contrary, they have with complete unanimity presented to Turkey a draft treaty which they have all declared to represent their common views and aims. If there is a danger of a breakdown of the present negotiations, it can only be because the enemy may refuse the terms on which the allies are agreed. Whatever juridical interpretation might be placed upon the wording of the Declaration of 1914, it is to be doubted whether even by the most ingenious casuistry the terms of that covenant could be twisted in such a way as to justify one of its signatories in concluding a separate peace with an enemy Power after joint allied terms had been presented to and rejected by that Power.

10. Nevertheless, these are the circumstances in which M. Poincaré now officially proclaims the right and the intention of France to sever herself from her allies, in contravention of the solemn engagement which formed the basis of Anglo-French co-operation throughout the war and during the critical years that followed, and to enter upon an independent course of action in the interest of France alone. The language of his note, and the form which he has given to it, leave no apparent doubt as to his resolve. Nor is that resolve deprived of any part of its precision by the assurance which he has been good enough to add that, when he proposes to act in the manner described, he will, as a special mark of his confidence and friendship, inform His Majesty's government in advance of his intention.

11. M. Poincaré's announcement seems in reality calculated to endanger the continuance of the Anglo-French alliance which has rested on the pact of 1914 as its foundation. It can hardly be interpreted in any other sense. And yet it is difficult to believe that the French government can have taken into full consideration the consequences that might be expected to ensue from the plan of action foreshadowed by M. Poincaré, if carried into effect. In the eyes of His Majesty's government, no issue more grave could have been raised. It is therefore important that they should be authoritatively informed whether the significance of M. Poincaré's pronouncement is meant to be such as, in their view, his words imply.

12. Your Excellency will read this despatch to M. Poincaré and hand him a copy of it, should he so desire.

I am, &c.
CURZON OF KEDLESTON.

No. 303.

Sir R. Graham to the Marquess Curzon of Kedleston.—(Received February 15.)

(No. 32.)
(Telegraphic.) R.
YOUR telegram No. 47. *Rome, February 14, 1923.*

My immediately following telegram contains text required, in French. Ministry for Foreign Affairs state that original Turkish draft was amended by M. Bompard and Signor Montagna whilst your Lordship was preparing to leave by train.

No. 304.

Sir R. Graham to the Marquess Curzon of Kedleston.—(Received February 15.)

(No. 33.)
(Telegraphic.) *En clair.* *Rome, February 14, 1923.*

FOLLOWING is text referred to in my preceding telegram :—

"La délégation turque a déjà eu l'occasion de faire connaitre que le Gouvernement de la grande Assemblée nationale de Turquie est en mesure d'assurer aux étrangers devant les tribunaux toutes les garanties d'une bonne justice et qu'il est à même d'y veiller dans le plein exercice de sa souveraineté et sans aucune intervention étrangère. Il n'en est pas moins disposé à faire procéder à des enquêtes et études pour introduire telle des réformes que justifierait le progrès des mœurs et de la civilisation. Dans cet esprit la délégation turque tient à faire la déclaration suivante : le Gouvernement turc se propose de prendre incessamment à son service, pour la période qu'il jugera nécessaire et qui ne sera pas inférieure à cinq années, des conseillers légistes européens qui seront choisis sur une liste dressée par la Cour permanente de Justice internationale de La Haye parmi les jurisconsultes ressortissants des pays n'ayant pas participé à la guerre de 1914-18, et qui seront engagés comme de fonctionnaires turcs. Ces conseillers légistes dépendront du Ministère de la Justice où ils participeront aux travaux des commissions et réformes législatives et seront spécialement chargés de suivre dans les villes de Constantinople et Smyrne le fonctionnement des juridictions civiles, commerciales et pénales turques, et de recevoir toutes plaintes auxquelles pourraient donner lieu soit l'administration de la justice civile, commerciale ou pénale, soit l'exécution des peines, soit l'application des lois, ainsi que les visites domiciliaires, perquisitions ou arrestations avec mission d'en rendre compte au Ministère de la Justice à l'effet d'assurer la stricte observation de la législation turque. Dans les matières correctionnelles la mise en liberté sous caution devra toujours être prononcée à moins que la sécurité publique n'en fût de ce fait compromise, ou que la mise en liberté provisoire n'entravât la bonne marche de l'instruction de l'affaire. Tous compromis et clauses compromissoires en matière civile ou commerciale sont permis et les décisions arbitrales ainsi rendues seront exécutées sur le visa du président du tribunal de première instance qui ne pourra refuser son visa qu'au cas où la décision serait contraire à l'ordre public. La présente déclaration sera valable pour une durée de cinq ans."

No. 305.

Sir R. Graham to the Marquess Curzon of Kedleston.—(Received February 15.)

(No. 35.)
(Telegraphic.) D.
YOUR telegram No. 46. *Rome, February 14, 1923.*

Italian Ministry for Foreign Affairs state that French Government had already asked them to agree to matter being treated diplomatically by High Commissioners at their discretion, they had agreed to this and Italian High Commissioner had been instructed accordingly.

In view of your Lordship's proposal, however, to which they have no objection, Ministry for Foreign Affairs have now telegraphed both to Paris and Constantinople

to the effect that, provided that French Government agree, they will also agree to despatch note on lines suggested. Italian High Commissioner has been instructed to act accordingly.

In future, however, Italian Government would prefer that High Commissioner should be allowed freer hand in dealing diplomatically with such cases as they arise.

Actual text of reply not yet received, but above may be accepted as its purport.

No. 306.

Sir H. Dering to the Marquess Curzon of Kedleston.—(Received February 15.)

(No. 40.)
(Telegraphic.) *Bucharest, February 15, 1923.*

MY immediately preceding telegram.

Minister for Foreign Affairs is informing Roumanian representatives at London, Rome, Paris, and, at my request, also at Constantinople, that his latest impressions of Ismet's attitude are not favourable.

Second Roumanian delegate has now returned from Lausanne, and has proved declaration of Ismet to be incorrect, namely, that having been confronted with entirely new economic clauses he had been required to sign them at once. M. Duca now learns that Turkish delegate has been given term of delay for consideration, and that his signature for remainder of treaty was what had been pressed for.

Therefore, Minister for Foreign Affairs places no reliance on Ismet's alleged desire for peace. Up to last moment he repeated same arguments, and that he could sign nothing without taking contract with Angora.

My own view is that he fears to sign anything that would not be ratified by National Assembly.

(Repeated to Constantinople, No 10.)

No. 307.

Mr. Henderson to the Marquess Curzon of Kedleston.—(Received February 15.)

(No. 86.)
(Telegraphic.) *Constantinople, February 15, 1923.*

YOUR telegram No 38.

I trust we shall not need to resort to suggestion of my colleague.

In the meantime, latter has at last received instructions, and we are addressing note to Adnan Bey based on French High Commissioner's instructions and those in our telegrams Nos. 34 and 35.

After preliminary paragraphs terms of note are briefly as follows :—

(D.) "Without entering into detailed discussion of legal points raised by Reouf's communication and as to whether Mudros Armistice, which closed great war, or Mudania Convention, which terminated Graeco-Turkish hostilities, is to be invoked, it is absolutely firm opinion of Allied Governments that during existing situation, which is legally and *de facto* one of armistice, and until peace is re-established, they are entitled to maintain warships at Smyrna," &c.

Rest of note is almost textually that in your telegram.

No. 308.

Sir R. Graham to the Marquess Curzon of Kedleston.—(Received February 15.)

(No. 36.)
(Telegraphic.) D.
YOUR telegram No. 41. *Rome, February 15, 1923.*

Italian representative at Berne has been instructed in sense required.

[E 1587/1/44] No. 309.

The Marquess Curzon of Kedleston to Sir A. Geddes (Washington)

(No. 240. Confidential.)

Sir, *Foreign Office, February 15, 1923.*

I HAVE to furnish your Excellency with the following observations on my despatch No. 213 of the 9th February regarding the attitude of the United States delegation at Lausanne towards the economic clauses of the draft Treaty of Peace with Turkey.

2. Mr. Child's letter seems really to have been based on the objections of the United States economic expert, Mr. Gillespie, to one financial clause and to three of the economic clauses. He objected to article 65 of the financial clauses, which provides that civil list property in territories detached from Turkey shall pass to the Government concerned without payment. Mr. Gillespie believed this to affect the claims of the Turkish Petroleum Company, although the letter of the Grand Vizier of the 29th June, 1914, on which this claim mainly rests distinctly stated that the oil properties in question had been transferred from the Civil List to the Turkish Ministry of Finance.

3. Secondly, he objected to article 95, which was designed to enable a joint Allied company, by agreement with the Turkish Government, to participate in the exploitation of the Anatolian Railway and some portion of the Bagdad Railway. M. Bargeton of the French delegation actually negotiated this article provisionally with the Turkish experts who raised no objection to it. He is known also to have informed Mr. Gillespie of the article, and at the time Mr. Gillespie said that he did not think that there would be any objection from the United States delegation. In the last stages of the negotiations he seems to have changed his mind.

4. The next article to which the United States expert took exception was article 94 dealing with the confirmation by the Turkish Government of concessions granted to Allied subjects or companies before the 29th October, 1914, *i.e.*, the outbreak of war with Turkey. The words in the article to which the United States experts particularly objected were the following :—

> "All conventions or contracts relating to concessions made between Turkey and Allied subjects, and any agreements and decisions in regard thereto prior to the 29th October, 1914, are also confirmed if they had begun to be put into operation or had formed the object of agreements between the Ottoman Government, notwithstanding the non-fulfilment by Turkey of all the conditions requested for their final confirmation."

5. This was designed by the Allied experts primarily to cover agreements that had actually been reached with the Turkish Government regarding—

(1.) What is commonly known as the Perier Loan Agreement, whereby a French company was to obtain concessions for the building of various ports and railways in Turkey in return for a large loan to the Turkish Government, one instalment of which had to be paid before the concession was actually confirmed; this instalment was actually paid, but war broke out before the confirmation of the concession.

(2.) The agreement between the Smyrna-Aidin Company and the Turkish Government in 1914, providing for a prolongation of the concessions and various extensions of it. This agreement was not fully completed before war broke out, but would probably be held to be covered by the above wording of this article.

(3.) The Turkish Petroleum Company's concession, the validity of which, according to our claim, rests on a note from the Grand Vizier to the British Ambassador of the 29th June, 1914, actually granting the concession, subject to the working out of various subsidiary points.

6. The Turkish experts never formally agreed to this wording, although M. Bargeton, who, as French expert, in close touch with the Turkish delegation had opportunities of discussing many of the economic clauses privately and informally with these experts, understood that they would probably be prepared to accept it as part of the final treaty. Much greater objection was taken to it in private conversation both by Admiral Bristol and, especially, by his expert, on the ground that it specifically

confirmed the Turkish Petroleum Company whose concession was regarded as invalid by the United States Government. In the last note of the United States Ambassador here to His Majesty's Government in November 1921, as will be remembered, the United States Government suggested that it should be arbitrated upon. This note was never answered, as it was thought possible to satisfy United States oil interests and thus the State Department by negotiating through commercial channels the participation of these interests in the Turkish Petroleum Company. It is to be feared, however, that the real reasons for the recent attitude of the United States delegation was based not on inspiration by the Standard Oil Company, who are already reconciled to the Turkish Petroleum Company by their generous participation in it, but by Mr. Gillespie himself who, for whatever reasons, was championing the rival United States claims of the Chester group and another group (possibly now combined with the Chester) which is believed to base its claim on the extravagant pretentions of the twenty-two heirs of the Sultan Abdul Hamid. An United States lawyer, Mr. Untermeyer, is understood to have come to Lausanne specially to advocate these claims to the Turkish delegation. The claim of the heirs is, generally speaking, that the oil properties in the vilayets were the personal property of the Sultan and were illegally transferred to the Civil List and the Ministry of Finance who controlled the oils concessions when they were granted to the Turkish Petroleum Company by the Grand Vizier's letter of the 29th January, 1914. The United States Government have never formally stated to His Majesty's Government that they supported these claims or regarded them as more valid than, or as valid as, that of the Turkish Petroleum Company.

7. It seems absurd to suggest that adequate opportunity was not afforded to the United States delegation to express their point of view on these economic provisions of the treaty. They were debated in the sub-commission where the United States experts were present but where, owing to their peculiar and self-imposed position at the conference, these experts were precluded from active discussion. The clauses were also canvassed continuously in private conversations. It is, therefore, difficult for the United States delegation to say at the eleventh hour (Mr. Child's letter is dated the 4th February) that they were given no adequate opportunity of stating their views. There is, too, ground for suspecting that it was the United States expert and Admiral Bristol, and not the Turks, who, at the end, were endeavouring to prevent acceptance of the economic clauses of the draft treaty: not, of course, Mr. Child and Mr. Grew—since Admiral Bristol and his economic expert were really responsible for the United States attitude on the economic aspects of the treaty.

8. The other clause to which the United States delegates objected was article 97. This article reads as follows :—

> "The Allied Powers shall not be bound to recognise in any territory detached from Turkey, the validity of the grant or transfer of any concession by the Ottoman Government or by local Ottoman authorities, effected after the 29th October, 1914."

9. This article was inserted at the request of the Colonial Office in order to enable the Palestine Administration to deal with a concession granted to a Greek subject by the Turkish Government during the war. The concession cuts across some of the Zionist hydraulic schemes and the Treaty of Sèvres would have given a legal basis for buying out the concession. It does not, of course, affect the Turks in any way as the clause refers to territories detached from Turkey by the treaty. It is, however, believed in theory to affect one or two concessions of little importance granted to United States citizens during the war by the Turkish Government in these territories. The Colonial Office had, of course, no intention of touching those concessions; they wished to be free to deal with one particular concession and this could have been made perfectly clear to the United States delegation, if necessary by an exchange of notes, had they raised the question. There is, perhaps, however, more justification here for Mr. Child's plea of lack of opportunity for discussion because the clause was only inserted a few days before the presentation of the treaty to the Allies and Turkey. The United States experts had, however, five days in which to raise the point with the British delegation and they did not do so. In any case the Americans had no justification to arouse Turkish opposition to this or the other clauses and thus jeopardise, as has now been shown, the chances of the treaty as a whole being signed.

10. Mr. Landon, of the "Daily Telegraph," stated in private conversation that Admiral Bristol had talked to him on Monday, the 5th February, in a way to make him suspect that the admiral was realising for the first time that his own conversations

and the conversations of his experts with the Turks on these clauses up to the last moment might have prevented the whole treaty being signed, and was accordingly somewhat conscience stricken.

11. No reply has been sent to Mr. Child's letter, as the conference and the United States delegation at Lausanne was broken up since that letter was written, and there is no reason to suppose that Mr. Child himself was interested in the economic clauses in the treaty. Moreover, there is, unfortunately, no sufficient tangible evidence on which to make any representations to the United States Government on the above points, but it is well that you should be informed of the grounds for such suspicions as the British delegation were forced to entertain regarding the attitude and activities of the section of the United States delegation at Lausanne which represented the United States High Commission at Constantinople.

12. Copies of this despatch are being sent to His Majesty's representative at Constantinople and to His Majesty's Ambassadors at Paris and Rome.

I am, &c.
CURZON OF KEDLESTON.

[E 1904/1/44] No. 310.

The Marquess Curzon of Kedleston to Sir R. Graham (Rome).

(No. 256.)
Sir, *Foreign Office, February 15, 1923.*

THE Italian Ambassador called upon me this afternoon and covered in his conversation the principal points in which the Allied Governments are for the moment concerned. He spoke of the agreement which has just been concluded between the French and Italian Governments at Paris for some sort of consortium in respect of concessions in Turkey, and he earnestly pleaded for the participation of the British Government in this arrangement, in order that it might take the place of the ill-fated Tripartite Agreement of 1920.

I could give no opinion upon this point, inasmuch as I had not seen the text, which had, indeed, only reached the Ambassador himself this morning. Nor was he more explicit when I asked him whether, if His Majesty's Government felt unable to join, the agreement would become a Franco-Italian arrangement pure and simple, which would forthwith come into operation. His Excellency told me that the agreement in its present two-headed form had already been signed—from which I concluded that the answer to my question ought to be in the affirmative—but he was so desperately anxious for the co-operation of His Majesty's Government that he could talk little about any other aspect of the case. He hinted, indeed—as we know to be the case—that France would have been quite willing to conclude the arrangement with Italy alone, but the association of Italy with Great Britain at the present moment is so obviously a cardinal feature of Italian policy, that in this as in every part of our conversation it was almost the only point emphasised by the Ambassador.

I told him that I would give him a reply as soon as I had had time to study the document.

He then turned to the Lausanne situation, and asked if I was completely satisfied with the loyalty which the Italian delegation had there exhibited to the Allied cause, and to Great Britain in particular.

I reminded him that there had been more than one anxious moment at the beginning when both Signor Mussolini and Marquis Garroni had endeavoured to extract pledges from myself before consenting to pull an oar in the conference boat; and I further added that the tactics of the first Italian delegate, who was convinced that he was always about to secure by subterranean methods what we had failed to obtain in the conference, had in the end proved the reverse of successful. Apart from this, I said that Italy had generally shown herself loyal to the common cause, while my personal relations with the Italian delegation had been of the most friendly character.

The Ambassador did not dispute the accuracy of my remarks on the two former points, but he was mainly anxious to take credit for his Government that they had abstained from the devious practices pursued by M. Poincaré and the French delegation.

As to the treaty, he enquired what were my views as to the form in which, if signed at all, it should be signed in the near future.

I replied that all I had hitherto said was that the British Government would be quite willing to sign the treaty in the form in which the Allies had presented it, with

the addition of the numerous concessions which had been made during the last forty-eight hours at Lausanne. Further than that I was not prepared at present to go, because, on the one hand, I did not know what were the exact concessions on the economic clauses to which M. Bompard was alleged to have been prepared to agree after I had left Lausanne; and, on the other hand, I had not seen till this afternoon, when it came by wire, the formula which Signor Montagna had proposed also after I had left with regard to the Judicial Capitulations. The next move, I said, rested with the Turks, and it was for them to suggest the conditions upon which they were disposed either to renew the negotiations or to sign the treaty.

In regard to the contention of the Angora Government that the Mudros armistice no longer had any existence, this was a claim, I said, which we absolutely declined to admit. On the contrary, it regulated the position of the Allies in Turkey to this hour.

Passing to the question of the Ruhr, his Excellency professed the most complete assent to the British point of view.

When I remarked, as Sir Eyre Crowe had done on a previous occasion, that, if this were so, it was a pity that the Italians had not fallen into line with ourselves at Paris, the Ambassador explained that it was only the financial and economic proposals, which had been contained in the British plan, with which his Government disagreed, but that in every other aspect of the case they were entirely on our side. For instance, they strongly objected to military occupation, in which they had been disinclined to take part. Their situation, however, was different from our own inasmuch as they had no troops employed. But they were convinced that the French plan, in its political and military aspect, was mistaken, and they were very much alarmed at the consequences which might ensue. His Excellency said that he had read my speech in the House of Lords two days before upon the question of possible intervention, and with what I had said he and his Government entirely agreed. Nevertheless, he eagerly awaited the moment when such intervention might be found possible, and promised me the heartiest co-operation of his Government in any measures for bringing it about.

I am, &c.
CURZON OF KEDLESTON.

No. 311.

The Marquess of Crewe to the Marquess Curzon of Kedleston.—(Received February 16.)

(No. 189.) [By Bag.]
(Telegraphic.) *Paris, February 14, 1923.*

YOUR despatch No. 491 of 10th February.

I handed to the President of the Council to-day a memorandum containing the communication addressed to your Lordship by M. Mélas on behalf of the Greek Government, and your Lordship's reply thereto. M. Poincaré told me that his Government had received a communication in almost the same sense. But I gathered that he did not place implicit reliance on the pacific intentions of the Greeks if circumstances should arise to tempt them in the opposite direction.

No. 312.

The Marquess of Crewe to the Marquess Curzon of Kedleston.—(Received February 16.)

(No. 190.) [By Bag.]
(Telegraphic.) *Paris, February 15, 1923.*

YOUR despatch No. 473 of 9th February.

I called on the President of the Council yesterday evening and left a copy with him after reading it. M. Poincaré said that he did not wish to engage in any recriminations over the policy followed by either Government at Lausanne, especially now that both were working in complete accord on the Turkish question. On particular points raised by the despatch he wished to say that no doubt some leakage of confidential information had from time to time occurred here, but he thought there

were faults on both sides, as, for instance, when the sense of his memorandum, sent to me on 4th February, had appeared in the London papers when nothing whatever had been said to the Paris press on the subject.

As regards the so-called insinuation to which your Lordship objected in paragraph 14 of the despatch on the encouragement of Greece, he never made insinuations, and these words did not refer to anything that happened at Lausanne, but to the encouragement given to M. Gounaris last year for military operations in Asia. That encouragement he knew was the work of three members of the late Government, Mr. Lloyd George, Lord Birkenhead and Mr. Churchill. But your Lordship was a member of that Government, and, in any case, its policy was the policy of England at that time, and could not be entirely disavowed.

The President of the Council said he was sorry that, when Lord Grey said on Tuesday night in the House of Lords that the French Government had not explicitly denied that they might be prepared to enter into separate negotiations if the Turks did not sign, your Lordship had not told the House that he had given to the British Government a categorical denial of the suggestion that he had ever thought of making a separate peace. Having done this he had not thought it necessary to deny it in the newspapers as well. He showed me a passage from a speech made by a Radical Deputy in the Chamber on the previous day, when he was accused of having followed your Lordship's lead *à la remorque* at Lausanne instead of acting independently on behalf of French interests. He thought that this proved how points of view might differ.

As to possible publication of the correspondence, as stated in paragraph 15 of the despatch, if there was any publication he would be obliged to state his case at greater length, and with additional facts, and there would, no doubt, be an end of the cordial relations now existing. I pointed out that the mention of publication was purely hypothetical, and I hoped no occasion for it would arise. If I might state my personal opinion, I hoped he would not think a long reply to this despatch necessary, because such rejoinders might be continued until the Greek kalends M. Poincaré did not seem to differ from this view.

No. 313.

The Marquess Curzon of Kedleston to Mr. Bentinck (Athens).

(No. 26.)
(Telegraphic.) R. *Foreign Office, February* 16, 1923.

YOUR telegram No. 66 of 13th February: Greek naval measures.

Please ask vice-admiral to notify Minister of Marine that, having reported his explanation to His Majesty's Government, he is informed that the latter have no knowledge, still less have they ever expressed approval, of any such measures. Moreover, His Majesty's Government have the strongest objection to the dissemination of such entirely unfounded statements, which may do incalculable harm

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[E 1916/21/44] No. 314.

Acting Commercial Secretary, Constantinople, to Department of Overseas Trade.—(Received in Foreign Office, February 17.)

Sir, *Constantinople, January* 30, 1923.

I HAVE the honour to inform you that, in consequence of the exodus from Anatolia of the greater part of the Armenian and Greek population, which constituted the main body of skilled labour in the country, considerable difficulty is being met with by the few industrial undertakings still working.

The Balia Karaidin mines were, after the evacuation of Smyrna, obliged by the Kemalist authorities to employ Moslem workmen only. These proved to be so inefficient that all work ceased on the mines, and an application was made to the Angora Government for permission to employ a number of Christian skilled technical employees and artisans.

Permission was finally obtained to employ sixty Christian workmen, and work has been resumed.

I am informed by Mr. Elliott, superintendent of the locomotive department of the Smyrna-Aidin Railway, that the difficulties of working with a Moslem staff are insurmountable. He is at present in Constantinople endeavouring to recruit skilled workmen, but he finds it impossible to obtain a Moslem technical staff with the necessary qualifications.

The Angora Government has taken steps to found a technical school for mining engineers and artisans, with a view to maintaining a supply of trained Moslem workers who will be able to replace the former Christian element in the country.

The silk industry has similarly been vitally affected by the flight of the Christian workers, and production at Broussa has been brought practically to a standstill.

I have, &c.
N. S. ROBERTS,
Acting Commercial Secretary to the High Commission.

No. 315.

Mr. Henderson to the Marquess Curzon of Kedleston.—(Received February 17.)

(No. 90.) *Constantinople, February* 17, 1923.
(Telegraphic.)

I SAW Ismet Pasha this morning.

His first remark was to ask for advice. I replied that, except to advise him to sign treaty, which he made a great mistake in not signing at Lausanne, I had no other instructions as to his best course of action. I presumed, however, that first thing for him appears to be to get Grand National Assembly to approve everything that he had done at Lausanne and to send him back with full powers to conclude treaty. All that he would then need to do would be to notify secretary-general of Conference.

I then delivered personal message in your telegram No. 31, and described to him British point of view as indicated in first part of that telegram. Ismet begged me to convey to you a most friendly message in reponse to yours. He said that, though you and he had disagreed on many points, he had great admiration for and confidence in you, and that at Lausanne your opinion had been the only one that counted for him. I said that you had equally great sympathy and confidence in him. He added that he had always paid greatest attention to your advice.

He complained that Great Britain, after all the points which especially interested her had been settled, was showing herself more uncompromising than France and Italy. Both the latter, he said, were willing to reserve economic clauses, whereas England was insisting on treaty being signed as a whole. He said that he would find greatest difficulty in getting Grand National Assembly to approve of what he had already accepted unless he could hold out to them hope of better terms for Turkey in respect of economic clauses. He said that his task would be greatly facilitated if he could receive an assurance from you of British goodwill in respect of a modification of economic clauses. He had counted on that goodwill at Lausanne at the end, and had been disappointed not to get it. I told him that, though in certain aspects Great Britain was less interested than other countries in that portion of the treaty, it was also of the greatest importance to her, that my Government was of opinion that any further concessions would not only seriously compromise Allied interests, but also be to disadvantage of Turkey by discouraging foreign capital and serious business undertakings, and that England was far too loyal a country, even if majority of points which especially interested her had been settled, to go back on the Allies in regard to points which especially interested them.

Ismet again said that both those Allies were now willing to go farther than England was prepared to go. I told him that I could express no opinion on any further concession that they were prepared to make, but that view of my Government was that Allies had gone far enough. Ismet repeated that it was Great Britain's word which carried weight, and that, if he could meet Assembly with an assurance of British goodwill in settlement of outstanding points, he was convinced that he could get its approval of all that he had himself accepted, and that treaty could be signed within a week or a fortnight after reunion of conference. He complained that treaty had been drawn up unilaterally, and that no Turkish legal expert had been invited to co operate. He took particular exception to what he

described as explanatory note in regard to payment in sterling of interest on existing debt.

Generally speaking, he was friendly and pacific, and gave me impression of being most anxious to have your advice as to best course to pursue. He was obviously disappointed that my advice did not go beyond a recommendation to sign treaty in form in which it stood at the time of your departure from Lausanne. Though I was careful to avoid giving any indication that you would be able to accept any further modification, I told him I would inform you of his request for assurance above mentioned.

I consider it most desirable that you should, if possible, send him some message in reply. He told me he was being very frank with me, and I do not think that it was assumed. His references to you were clearly sincere, and I have reason to believe that Adnan Bey, who was present during our interview and who is undoubtedly well disposed both to British and to me personally, had told him beforehand that he could afford to be frank. I am convinced, therefore, that a message of encouragement from you would be both appreciated by and a help to him and be in the interest of peace.

Ismet Pasha, who saw other High Commissioners before me and General Harington afterwards, is leaving to-night for Angora and proposes to meet Mustapha Kemal at Eskishehr.

No. 316.

The Marquess Curzon of Kedleston to Mr. Henderson (Constantinople).

(No. 40.)
(Telegraphic.) *Foreign Office, February* 17, 1923.

TURKISH military activities in Eastern Thrace.

Greek Legation report following Turkish activities in Eastern Thrace

1. One thousand five hundred cavalry arrived viâ Midia.
2. Men, guns and material are continually landed at Rodosto.
3. Total of 20,000 soldiers arrived clandestinely in Constantinople.
4. Pontoon detachment and boats near Maritza.
5. Canteens and troops are continually landed at Midia.
6. Aeroplane at Adrianople.
7. Intensive recruiting.
8. Many guns distributed throughout district.

Please obtain General Harington's observations.

No. 317.

Mr. Henderson to the Marquess Curzon of Kedleston.—(Received February 18.)

(No. 91.)
(Telegraphic.) *Constantinople, February* 18, 1923.

MY telegram No. 90.

I have received a private letter from Adnan Bey referring to my conversation with Ismet yesterday, and mentioning following questions as those in regard to which Ismet seeks an assurance of your Lordship's goodwill with a view to final settlement:—

The suppression of note of explanation to annex 1; reservation of economic clauses; régime for foreigners apart from judicial system; property of civil list and private property of State; and distribution of note-issue among debts to be distributed.

Adnan adds that, were Ismet to have such an assurance, he could defend with more force concessions made by him in other respects.

If I have opportunity to see Adnan before Sir H. Rumbold's return, I shall inform him that it is useless to expect such an assurance in regard to questions

mentioned. Nevertheless, I do consider that some message, if possible, from you would facilitate settlement and that Ismet's request for an assurance should not be left without some reply. I am personally convinced that Ismet is really looking to you for guidance and support, and is most anxious to return provided a certain latitude is given for further discussion on outstanding points. I am almost equally convinced that Angora will not allow him to return if it be merely to sign treaty in the same form which he originally refused to sign. Ismet laid stress on fact that what remained to settle could be arranged in a couple of weeks. He did not agree with me when I said that half that time would suffice, and was clearly apprehensive of anything in form of ultimatum. He will have support of France and Italy in this.

If you concur in desirability of reply to Ismet's appeal to you, might it not at least be possible to let him know you are prepared to recommend to French and Italian Governments that any reasonable proposals for modification in detail shall be subject of friendly consideration? I am inclined to think, in spite of alleged French and Italian concurrence, that Ismet would not maintain request for reservation of economic clauses if he can get some modification of them.

No. 318.

Mr. Henderson to the Marquess Curzon of Kedleston.—(Received February 18.)

(No. 92.)
(Telegraphic.) *Constantinople, February* 18, 1923.

MY telegram No. 91.

French High Commissioner appears to have expostulated at some length yesterday with Ismet Pasha against attacks on French in Turkish press.

He tells me that his impression of his interview was favourable, but that Ismet had show great anxiety lest Powers, by refusing to consider any alternative in treaty, as submitted, intended to present Turkey with an ultimatum which she could not accept.

I personally believe that he assured Ismet that France would be ready to take into consideration any Turkish proposals for modifications.

As French High Commissioner's interview preceded mine, I fancy this was reason for Ismet's insistence on the, to him, incomprehensible attitude of His Majesty's Government in showing even less conciliation than French and Italian Governments in regard to matters which specially interested latter.

Prior to interview, French High Commissioner assured me that he had no instructions from his Government as to line to follow with Ismet. If this is in fact the case, it is possibly due to pressure from London, which induced French Government to leave French High Commissioner to say to Ismet what he knows French Government would prefer, rather than what His Majesty's Government recommend.

E 1963/4/44] No. 319.

Mr. Bentinck to the Marquess Curzon of Kedleston.—(Received February 19.)

(No. 94.) *Athens, February* 8, 1923.

My Lord,

WITH reference to my telegram No. 42 of the 25th ultimo regarding the outbreak of epidemics amongst refugees in Greece, I have the honour to transmit herewith copy of a report which Dr. Haigh, of the Epidemics Section of the League of Nations, is forwarding to headquarters, regarding conditions in Epirus, the Ionian Islands and certain places in the Peloponnesus. As the report will, I understand, eventually be published by the League of Nations, I have the honour to request that the British Red Cross, or any other relief association to which your Lordship should decide to send it, may be asked to treat it as confidential pending publication.

2. Dr. Haigh, it will be seen, considers the situation at Patras to be serious, and paints that at Zante in gloomy colours. It is satisfactory to learn of the good work done there by Mr. Vice-Consul Sargint. Dr. Haigh has refrained from reporting officially on the situation at Corfu, where he told me he had found conditions worse than anywhere else and an utter inability or unwillingness to remedy them. His

Majesty's consul recently reported that there were, at Corfu, thirty-five deaths daily from exanthematic typhus. At Piræus, according to Dr. Haigh, the situation is serious. A new hospital is being prepared there with 200 beds for typhus patients only, as the congestion has been so great that they have lately been laid two on one mattress on the floors of the hospital. In the British camp at Phaleron there have been about six fresh cases occurring daily during the last few days. Thanks to the American Red Cross, measures are now being taken to delouse the refugees and so to combat the disease. Dr. Haigh hopes that it may thus be possible, if not to stamp it out, at least to reduce the number of its victims at Piræus and Athens. Much of this might have been prevented if the measures recommended by Dr. Haigh last November had been taken at the time. Dr. Haigh has now left for Tripolitza in the Peloponnesus, where he had heard that there were as many as 300 typhus cases

3. In reporting on this deplorable state of affairs, it is satisfactory to learn that the sunshine of Attica is expected to prove a more powerful disinfectant than anything which medical science can prescribe, and that the outbreak at Piræus and Athens has, on the whole, assumed a less virulent form than in other places.

4. The four horsemen of the Apocalypse are going forth conquering in this unhappy land and, as might have been expected, pestilence and death are now claiming the victims whom the sword and famine had spared. The need of medical assistance cannot be too strongly urged. People ask what is the use of feeding the children if they are to succumb to typhus the next week. The high rate of mortality is, of course, greatly due to under-feeding. It is to be hoped that the British Red Cross, though late in the field, may now be able to contribute, in a measure worthy of its high standing and reputation, to what many expected would be an international, but what is, in fact, almost entirely an American crusade against disease.

I have, &c.

C. H. BENTINCK.

[E 1936/1/44] No. 320.

The Marquess of Crewe to the Marquess Curzon of Kedleston.—(Received February 19.)

(No. 407.)

HIS Majesty's Ambassador at Paris presents his compliments to His Majesty's Principal Secretary of State for Foreign Affairs, and has the honour to transmit herewith copy of a note from M. Poincaré, dated the 17th February, 1923, replying to Lord Curzon's note of the 9th February regarding the Lausanne negotiations.

Paris, February 18, 1923.

Enclosure in No. 320.

Note by French Ministry for Foreign Affairs.

PAR une note en date du 9 de ce mois, qui a été remise au Président du Conseil seulement le 14 au soir, par son Excellence Lord Crewe, le Gouvernement de Sa Majesté expose les raisons pour lesquelles il déclare ne pas trouver satisfaisantes les explications données dans la note du 1 février du Gouvernement de la République.

Avant d'examiner les différents points traités dans la note britannique, il semble nécessaire de dissiper un malentendu qui a, depuis le début, entraîné une mutuelle méconnaissance d'intentions également sincères et également amicales.

Lord Curzon n'a cessé, en effet, de répéter, comme la délégation française et le Gouvernement français, qu'en remettant à la délégation turque un projet de texte de traité il n'était pas question d'un ultimatum; l'accord a toujours été parfait sur ce point. Or, par définition, un ultimatum n'est pas un délai fixe pour répondre à une sommation, c'est une résolution que l'on déclare irrévocable et que l'on considère comme le dernier mot, ce sont des conditions définitives qu'un État pose à un autre, comme devant être suivies d'hostilités s'il ne les accepte pas. Le projet de texte remis n'était pas, dans la pensée des Alliés, le dernier mot, ce n'était pas une résolution irrévocable, ce n'étaient point des conditions définitives. Comme le Général Pellé l'a déclaré à Adnan Bey, au cours d'une démarche qui n'avait d'autre but que

d'empêcher le départ précipité des Turcs, et la brusque reprise des hostilités, le projet rédigé par les Alliés pouvait être examiné par le Gouvernement turc, qui restait à lui à présenter des contre-propositions; une demande de discussion raisonnable ne devait pas amener forcément une rupture des négociations qui pourraient continuer à Lausanne même.

Lord Curzon vient de procéder exactement comme M. Poincaré. Il a télégraphié à Mr. Henderson de faire une communication verbale à Ismet Pacha, lors de son passage à Constantinople. Cette communication contient des conseils de la même nature que ceux que le Général Pellé avait été chargé de donner à Adnan Bey. Il y a cependant une différence entre ces deux actes. Le télégramme de M. Poincaré avait été adressé en même temps à Constantinople et à Lausanne, où la délégation française devait tout naturellement en donner connaissance à la délégation anglaise, tandis que le contenu du télégramme de Lord Curzon à Mr. Henderson n'a été communiqué à M. de Saint-Aulaire que sur sa demande.

En tout cas, Lord Curzon et M. Poincaré ont assurément agi, dans ces deux occasions, avec un égal désir de servir la cause commune des Alliés.

Si l'on veut dissiper enfin un trop long malentendu, il ne faut pas toutefois que l'assurance qui sera donnée par Mr. Henderson à Ismet Pacha de la disposition du Gouvernement britannique à signer le projet de traité puisse exclure la possibilité envisagée dans la déclaration faite par Lord Curzon, lors de son retour à Londres, que le Cabinet britannique était prêt à examiner les propositions turques qui seraient transmises par le Secrétariat de la Conférence. Nous pensons que, sur ce point, le Gouvernement anglais n'a pas changé d'opinion.

Ceci dit, il ne sera pas inutile de mettre en parallèle le récit, fait par le délégué français, des événements qui ne sont pas rapportés dans les procès-verbaux de la conférence, avec l'exposé du délégué britannique, tel qu'il se trouve dans la note remise par Lord Crewe. Ces deux récits, se complétant et s'éclairant l'un l'autre, mettent en lumière les positions prises.

Le 24 janvier, Lord Curzon réunit chez lui le Marquis Garroni et M. Bompard, avec Sir Horace Rumbold et Sir Eyre Crowe, et il leur fait part de son intention d'en finir avec les travaux de la conférence qui, d'après lui, traînent en longueur. Il est résolu à quitter Lausanne le vendredi 2 février et il demande qu'en conséquence les commissions se réunissent une dernière fois dans les trois jours suivants, pour entériner les résultats auxquels sont arrivées les sous-commissions. Le dimanche 28 janvier sera consacré à la rédaction du projet de traité tel que les Alliés le conçoivent; ce projet sera remis le lendemain, lundi à la délégation turque et celle-ci sera convoquée le mercredi suivant à l'effet de répondre à cette communication.

On discute alors longuement les conditions dans lesquelles la réunion du mercredi sera tenue. M. Bompard s'oppose à la réunion de la conférence en séance publique en plénière, conformément aux instructions qu'il a reçues; il explique que le Gouvernement français désire que cette réunion du mercredi ne soit pas considérée, d'avance et quand même, comme une séance de clôture de la conférence. Il insiste pour que la remise du projet de traité ne revête pas le caractère d'un ultimatum et pour que ce projet puisse être l'objet d'une discussion ultérieure.

Lord Curzon renonce de bonne grâce à la réunion de la conférence en séance plénière et propose que les trois commissions se réunissent successivement, à commencer par la première, leurs présidents commentant, à tour de rôle, les parties du projet de traité qui sont du ressort de chacune d'elles. M. Bompard réserve son acceptation de cette procédure jusqu'au lendemain et il ne l'accepte que le 25 janvier, suivant les instructions reçues le matin même de son Gouvernement.

Lord Curzon, en déclarant qu'il quitterait Lausanne le vendredi avec la délégation britannique, avait bien exprimé le désir que les délégations française et italienne agissent de même, mais ni le Marquis Garroni, ni M. Bompard n'avaient donné leur acquiescement. Or, le 25 janvier au matin, M. Bompard reçoit la visite du Marquis Garroni, qui lui apporte un document émanant de la délégation britannique, intitulé "Time Table," et portant les détails de la procédure envisagée la veille pour les travaux de la conférence. Ce document se termine ainsi: "Friday, departure of Allied delegation." Le Marquis Garroni se montre fort ému de cette mention inattendue. M. Bompard reçoit, de son côté, le même horaire et apprend en même temps qu'il a été également remis à M. Vénizélos, ce qui l'amène à penser que cette pièce avait fait l'objet d'une distribution générale aux délégations.

Le Marquis Garroni et M. Bompard se rendent immédiatement auprès de Lord Curzon pour s'élever contre l'indication ainsi donnée sans leur consentement et

ils lui font observer que leur départ de Lausanne ne peut être fixé que par les Gouvernements qui les y ont envoyés.

Le 30 janvier, vers 10 heures du soir, paraît la dépêche de l'agence télégraphique suisse, qui reproduit simplement, sans en indiquer l'origine, les premiers paragraphes du "Bulletin du jour" publié dans le "Temps" du même soir. Elle est considérée à tort à Lausanne comme un communiqué officieux du Gouvernement français alors qu'elle est seulement l'expression de l'opinion personnelle d'un journaliste. Lord Curzon croit devoir y répondre aussitôt par un communiqué à l'agence Reuter, où il affirme que les allégations de l'agence télégraphique sont en contradiction avec les arrangements intervenus entre les délégations alliées.

M. Bompard a bien avisé Lord Curzon de l'intention d'Ismet Pacha de demander huit jours après la séance du 4 janvier pour répondre à la remise du projet de traité qui lui a été faite le 29 janvier, mais cette communication est sans aucune corrélation avec l'incident de la dépêche de l'agence télégraphique suisse. D'après Lord Curzon lui-même, cet avis lui a été donné antérieurement.

Quant à la note envoyée le 1er février de Paris à Lausanne par l'agence Havas, et qui forme l'Annexe H de la communication de Lord Crewe, elle confond, en effet, le télégramme adressé antérieurement à Moustafa Kémal avec les instructions données ensuite au Général Pellé. Le Gouvernement français ne saurait pas plus être tenu pour responsable de cette confusion commise par un rédacteur de cette agence qu'il ne l'est des appréciations qu'un rédacteur du "Temps" peut émettre dans ses articles. Dans aucun des deux cas il ne s'agit de communiqués officiels ni officieux et Lord Curzon n'était pas fondé à considérer ces documents comme émanants du Gouvernement de la République.

Quand, à la séance des trois commissions de la conférence du 31 janvier, Ismet Pacha a demandé huit jours pour répondre, ainsi que M. Bompard l'avait fait prévoir la veille, le Marquis Garroni et M. Bompard opinèrent en faveur de l'octroi de ce délai. Ce fut seulement après une heure de discussion, pendant laquelle Lord Curzon résista avec beaucoup de force, que le délégué britannique consentit, en manière de transaction, à reculer son départ jusqu'au dimanche soir.

M. Poincaré, n'ayant pas assisté aux réunions de Lausanne, ne les a connues que par les comptes rendus qui lui en ont été faits; les journaux en ont nettement d'ailleurs marqué le caractère. Il est vrai que M. Barrère avait admis que le projet de traité serait présenté à la délégation turque dans une séance plénière de la conférence, et que Lord Curzon avait revendiqué la présidence de cette séance. Sir Eyre Crowe a plus tard manifesté à M. Bompard cette même prétention de la part du délégué britannique; mais M. Bompard a répondu, comme M. Barrère, que le délégué de la France ne pouvait renoncer à son tour de présidence. Le fait que la Grande-Bretagne était représentée à Lausanne par le Secrétaire d'État des Affaires étrangères ne lui donnait d'ailleurs aucune prééminence, les représentants d'États souverains à une conférence diplomatique étant sur un pied d'égalité complète, quelles que soient leur qualité personnelle, leur valeur propre et leur situation officielle.

Lord Curzon serait, d'ailleurs, mal venu à se plaindre que la délégation française ait manqué de déférence à son endroit, en raison des concessions qu'il a bien voulu faire dans l'intérêt commun des Alliés. Il suffit de feuilleter le Livre jaune que vient de publier le Gouvernement français pour trouver presque à chaque page des preuves du contraire. C'est presque toujours le délégué britannique qui prend la parole au nom des Alliés, le délégué français se bornant à se rallier à l'avis de son collègue, et marquant ainsi chaque jour la volonté de son Gouvernement de ne point se séparer de ses Alliés.

M. Poincaré, par contre, a le droit de s'étonner des expressions contenues dans les deux derniers paragraphes de la note qui lui a été remise. A trois reprises, le mot "insinuation" s'y trouve répété. Le Gouvernement de la République n'insinue pas, il dit nettement ce qu'il a à dire.

Il n'a ni dit ni voulu dire que Lord Curzon avait à Lausanne excité les Grecs à la guerre. Il a seulement fait allusion aux dispositions belliqueuses des Grecs et notamment de M. Vénizélos, qui lui ont été révélées de source indiscutable. M. Barrère a été à deux reprises, chargé d'édifier Lord Curzon à ce sujet. Ces dispositions avaient été sans doute encouragées sur place, notamment en Thrace, et ces encouragements d'agents locaux ont pu donner l'idée au Cabinet d'Athènes que, comme autrefois, il était soutenu par une grande Puissance.

M. Poincaré ne doute pas que Lord Curzon ait donné des conseils de modération à la délégation grecque et l'ait détournée de la folie de rouvrir les hostilités. Il lui permettra cependant de citer les instructions qu'il adressait, le 11 janvier, à M. Barrère,

et qui montrent au moins que, dans cette voie, Lord Curzon n'a pas été aussi loin que lui:

"D'informations de source secrète et sûre, il résulte que la délégation grecque à Lausanne a fait savoir, le 4 janvier, au Gouvernement d'Athènes, qu'il était possible d'espérer l'appui d'une ou de plusieurs des grandes Puissances pour reprendre les hostilités. 'Mais,' disait M. Vénizélos, 'il n'y aurait qu'un moyen d'obliger les Alliés à consentir à l'expulsion définitive des Turcs d'Europe, ce serait d'avoir recours à la Yougoslavie.' M. Vénizélos exprimait, à ce propos, le regret de constater que, depuis deux jours, les Turcs se montraient plus accommodants. Il constatait que la paix serait probablement signée, ce qui, ajoutait-il, 'devait échouer tout notre plan.'

"D'autre part, M. Caclamanos a rendu compte, à la même date, de une démarche auprès de Lord Curzon, pendant son séjour à Paris, au sujet de l'attitude de l'armée grecque en Thrace. M. Caclamanos mentionne que j'avais suggéré une démarche commune à ce sujet à Lausanne, et que Lord Curzon avait exclu cette éventualité, en déclarant que M. Vénizélos continuait à travailler pour conclure la paix, mais qu'il avait consenti à ce qu'une démarche fût faite à Athènes."

M. Poincaré ne veut pas ouvrir une discussion sur les indiscrétions de presse commises à Londres et à Paris depuis l'armistice de 1918. Il ne faut s'en souvenir que pour se promettre d'y mettre un terme à l'avenir, car de telles indiscrétions, il ne sert jamais aucun bien pour personne. M. Poincaré croit seulement devoir affirmer à Lord Curzon qu'aucune mention n'avait été faite au rédacteur du "Temps" de la note adressée à Lord Crewe le 30 janvier au soir, quand M. Herbette a écrit son article du 28. Si M. Herbette a reproduit certains arguments utilisés dans cette note, c'est qu'ils seraient venus à l'esprit de quiconque eût traité ce sujet. Lord Curzon voudra bien reconnaître, d'ailleurs, que la question n'est nullement posée de la même manière dans les deux documents. Au contraire, la note lui ensuite diverger à Londres, et c'est à la suite de cette divulgation que M. Herbette écrivit son second article.

Quant à la menace par laquelle se termine la note remise à M. Poincaré, elle ne peut être acceptée. Elle est, d'ailleurs, d'une nature trop grave pour être jamais mise à l'exécution. Lord Curzon est trop pénétré, comme M. Poincaré, de la nécessité de l'alliance de la France et de la Grande-Bretagne pour jamais rien faire qui puisse l'affaiblir. Si, au cours de la Conférence de Lausanne et des conférences antérieures sur la question d'Orient, il y a eu des divergences entre Lord Curzon et le Président du Conseil français, elles n'ont jamais porté que sur la méthode à suivre pour atteindre le but commun. Malgré ces divergences, les deux Alliés sont restés fidèlement côte à côte. M. Poincaré ne se départira pas de cette attitude; il est certain que Lord Curzon s'y tiendra également. Autrement, on devrait renoncer à l'espoir de voir jamais se rétablir la paix en Orient et dans le reste du monde.

Ministère des Affaires étrangères, Paris,
le 17 février 1923.

No. 321.

The Marquess of Crewe to the Marquess Curzon of Kedleston.—(Received February 19.)

(No. 206.) By Bag.

(Telegraphic) *Paris, February* 17, 1923.

IN accordance with the instructions conveyed in your Lordship's despatch No 527 of 14th February, I gave the President of the Council a copy of it to-day. After reading it M Poincaré said he would send a short reply on one or two points, which he would couch in as moderate language as he possibly could, as he was anxious to avoid a continued controversy on paper He could not entirely accept your Lordship's disclaimer of the encouragement given to Greece by the late Government, mainly on account of Mr Lloyd George's speech I said that the point at issue was not that speech, but the correspondence with M. Gounaris, and on this you made a complete reply in the despatch The President of the Council said that he would also make some observations on the pact of September 1914, and I gathered that he still is prepared to argue that the Turco-Greek war had given a new colour, both to that pact and to the declaration of 1915.

He went on to say that the terms of the last two paragraphs of the despatch seem to be needlessly wounding and unfriendly. He particularly objected to the phrase that his announcement "seems in reality calculated to endanger the continuance of the Anglo-French Alliance," &c. It was utterly untrue to charge him with such an intention. I pointed out that there is a distinct difference between the meaning of the French word "calculé" and the English "calculated." I did not understand that your Lordship was charging him with deliberately setting to work to destroy the alliance; if I had to paraphrase the sentence, I should write, "M. Poincaré's announcement seems to be so worded as to have the result of endangering," &c., going on to state that it is hardly possible to read it otherwise. M. Poincaré said he would take note of my interpretation of the words in replying to the question at the close of the despatch.

No. 322.

Sir H. Rumbold to the Marquess Curzon of Kedleston.—(Received February 19.)

(No. 95.)
(Telegraphic.) D. *Constantinople, February* 19, 1923.

I UNDERSTAND that discussion of treaty by Grand National Assembly in secret session will begin on 21st February.

Ismet Pasha informed French High Commissioner that discussions would last about a week before final decision was arrived at.

No. 323.

The Marquess Curzon of Kedleston to Mr. Henderson (Constantinople).

(No. 41.)
(Telegraphic.) D. *Foreign Office, February* 19, 1923.

YOUR telegram No. 56 of the 6th February: Sale of gold held by Ottoman Bank to repay advances made by Administration of the Ottoman Public Debt

Gold is held by the bank for the account of the Allied High Commissioners, and refusal to accept their instructions as to disposal appears quite unjustifiable.

With regard to the merits of the question, which does not in any way concern the bank, the statement that the gold is the private property of holders of the Turkish internal loan seems erroneous. Although the gold was admittedly destined for the loan, it was probably, when sequestrated, the technical property of the Turkish Government. Sequestration may have been illegal, but it is nevertheless equitable that a part should be utilized to discharge liabilities of the Constantinople Government before balance is returned to the present Turkish Government, which cannot expect to receive the assets without also inheriting the liabilities of the Constantinople Government.

Attitude of the director general may be due to recent appointment by Angora Government of a commissary to the bank, and it is thought that M. Steeg might not be unwilling to yield to *force majeure*, although unable to agree voluntarily to obey instructions of the High Commissioners.

You should therefore consult with M. des Cloisières with a view to the French High Commissioner joining representations to the Ottoman Bank in the sense desired.

No. 324.

The Marquess Curzon of Kedleston to Sir H. Rumbold (Constantinople).

(No. 42.)
(Telegraphic.) D. *Foreign Office, February* 19, 1923.

YOUR telegram No. 50 of the 2nd February: Transfer of silver marks by French warship to Toulon.

The silver marks should remain in the name of the head office of the Imperial Ottoman Bank to enable them eventually to be dealt with under the provisions of article 81 of the draft treaty or similar provisions.

For latter to apply the rights and interests in the silver must remain situated in Turkey, even though the actual silver be removed for safe keeping to France.

Please inform your colleagues and the Ottoman Bank so that necessary arrangements may be made.

With regard to the gold, the matter is being taken up with the French Government.

E 2023/1/44] No. 325.

The Marquess Curzon of Kedleston to the Marquess of Crewe (Paris).

(No. 621.)
My Lord, *Foreign Office, February* 19, 1923.

THE French Ambassador called upon me this afternoon to present a note from his Government recording a conversation that had just taken place at Constantinople between General Pellé and Ismet Pasha. These two had apparently gone together through the text of the treaty recently submitted, but not signed, at Lausanne, and Ismet Pasha had confided to the French High Commissioner his views as to the further concessions which the Angora Assembly would in all probability demand. These related chiefly to the financial clauses, the convention for the "régime des étrangers" and the economic section, the last of which he desired to be excluded altogether from the treaty. He was apparently prepared to accept the Montagna modification of the formula with regard to the judicial guarantees. Finally, Ismet Pasha had said that after a week of debate at Angora he expected to be in a position to make definite proposals to the secretary-general of the conference with a view to the renewal of the discussions. The conversation had left upon General Pellé the impression that Ismet Pasha both desired peace and was confident of being able to secure it.

The reference to this conversation between the French High Commissioner and Ismet Pasha at Constantinople afforded me an opportunity, for which I was looking, of calling the Ambassador's attention to the complaint which he himself had been instructed by M. Poincaré to make to Sir Eyre Crowe a few days earlier as to an alleged conversation held under my instructions between the acting British High Commissioner at Constantinople and Ismet Pasha, in which I was supposed to have authorised or suggested a separate negotiation without reference to my Allies. I said that this complaint, coming from M. Poincaré, was altogether intolerable, and that I could no longer stand a situation in which—whereas for more than three months I had never taken a single step with the Turks at Lausanne without previously informing my colleagues, and had merely sent a message to Ismet Pasha at Constantinople strongly advising him to sign the treaty in the form which it bore when I left Lausanne; and whereas throughout this period the French delegates had seldom passed a day without running round with their private negotiations and separate intrigues with the Turks; and whereas M. Poincaré himself was the real author of this clandestine procedure—the French Ambassador should now come to the Foreign Office with a complaint, utterly unfounded, that I had done that of which M. Poincaré and the French Government had been habitually and consistently guilty. I asked his Excellency's pardon for telling him that I must beg him to desist in future from coming to the Foreign Office two or three times a week with complaints from M. Poincaré—as a rule of the most frivolous and childish description—as to what I had said or done, or not said or not done. Apart from this absurd suspicion as to what had passed at Constantinople, to refute which I read out to the Ambassador the terms of my instructions to Mr. Henderson, I gave his Excellency two further illustrations of what had happened during the past week alone. The first was M. Poincaré's protest, delivered by his Excellency himself to Sir Eyre Crowe, against my mention of the word "mediation" in reference to the Ruhr in my recent speech in the House of Lords. With the text of the speech in my hand I pointed out to his Excellency that what I had actually said was that, while the newspapers were talking about mediation, in the opinion of His Majesty's Government intervention of any sort was for the moment out of the question. Was I not at liberty to make this perfectly innocent statement, for which I ought to have been thanked by M. Poincaré, without receiving a visit from his Ambassador to complain of my words? The second case was even worse. In the same debate Lord Grey of Fallodon had deliberately challenged me to say whether or not it was true that the French Government had told the Turks at Lausanne that if the latter did not sign the treaty

they would be prepared to enter into separate negotiations with them. Lord Grey had added that such an idea was in his view incredible, and that such action on the part of any one of the Allies made international co-operation absolutely impossible. In my reply I had taken no notice of this challenge. Why? Because Lord Grey's statement, as the Ambassador knew perfectly well, was absolutely true, and because I could not deny it without telling a falsehood; and yet M. Poincaré had sent his Excellency down a few days later to complain that I had not told a lie upon the matter and had left the charge unanswered. I said that if this sort of thing were to go on it would be impossible for a British Minister ever to open his mouth without asking M. Poincaré's permission as to what exactly he might say. I said to the Ambassador that he had never seen me angry before, but that I felt I had the fullest justification for anger now, and I begged him to spare me the pain of receiving any more intimations of the character to which I had referred, and which could only emanate from M. Poincaré when the temper of the latter was under imperfect control.

The Ambassador attempted to pacify me by assurances that there had been a misunderstanding here or an exaggeration there, but both the manner and the matter of his reply showed quite clearly, not only that he realised the justice of my complaint, but that his sympathies were with the man in London who made it rather than with the man in Paris who had provoked it.

Reverting to the question of negotiations with the Turks, I took advantage of the occasion to give to his Excellency a little narrative of what actually had happened at Lausanne. I told him that, while it was M. Bompard who had insisted with me upon the retention of the economic section of the treaty and had himself picked out the articles which it might be possible to postpone—a position in which I had loyally backed him up—it was the same M. Bompard who, the moment my back was turned, when I had left Lausanne, ran round to Ismet Pasha and offered to withdraw the economic section altogether. I told him further that the modification of the judicial formula which Ismet Pasha was now prepared to accept was one which had been similarly put forward by the Italian second delegate, M. Montagna, after I had gone, without any reference to the British delegation, in entire violation of what we had all agreed upon only a couple of hours before, and it was not until two days ago, and then only after I had sent a special telegram to Rome, that the British Government had ever seen the text. This was the kind of procedure that had gone on daily and hourly at Lausanne. M. Barrère had gone away sooner than connive in such tactics. If M. Poincaré drove me to tell the truth by his repeated interventions and complaints, it was not I who had any cause to shrink from the revelations, but the result would be one which I assured his Excellency that the French Government would have the best of reasons to deplore.

I do not think that after this conversation I shall hear much more of these splenetic incursions of the French Président du Conseil, or that his representative will be quite so ready to run down to the Foreign Office with these puerile complaints.

I am, &c.

CURZON OF KEDLESTON.

No. 326.

Sir H. Rumbold to the Marquess Curzon of Kedleston.—(Received February 20.)

(No. 96.)

(Telegraphic.) *Constantinople, February 19, 1923.*

FRENCH High Commissioner read me to-day various telegrams which had been repeated to him from Lausanne or which he had received from Colonel Mougin. Among former was a telegram from M. Bompard giving an accurate description of final meeting with the Turks in your room on 4th February. From another telegram it appears that French Government were prepared to accept Ismet's request that whole economic section of treaty should be [? reserved] for subsequent discussion. I was unaware that French Government had gone so far, and French High Commissioner is certain to have informed Ismet of French readiness to meet latter's request on this point when Ismet passed through Constantinople. The action of French Government in this matter seems as unfortunate as it is disloyal, and fully accounts for Ismet's remark to Mr. Henderson. In this connection please see point 4 in your telegram No. 31. I explained to French High Commissioner Allied point of view with regard to economic clauses as communicated to Ismet on 4th February, and said that it was absolutely important at this moment that Allies should speak with one voice to Turks. But I am afraid my remarks come rather late. The French High Commissioner mentioned points in financial clauses raised by Ismet in conversation with him, such as restitution to Turks of civil list property in detached territories and proportional distribution of note issue among those territories. As I gathered French High Commissioner seemed to think it might be possible to meet Turks on these points. I informed him that when M. Bompard returned from Paris it transpired that one of the few points on which President of the Council refused to give way was return to Turkey of civil list property, and that Allies had unanimously rejected proposed distribution of note issue.

Colonel Mougin's telegrams continued to dwell on hostility to France now prevailing at Angora, where it is being freely said that if war results French will be to blame, as their main concern has been to protect the pockets of Jews who are interested in debt of Ottoman Bank and Régie.

Mougin also reported that National Assembly would again raise questions of Mosul and Karagatch besides insisting upon reservation of economic sections of treaty for further discussion.

I am informed that my return here has had a good effect and sent value of Turkish pound up by four points to-day. It has been interpreted as a further indication that His Majesty's Government wish for a pacific solution of present situation.

No. 327.

Sir H. Rumbold to the Marquess Curzon of Kedleston.—(Received February 20.)

(No. 97.)

(Telegraphic.) *Constantinople, February 20, 1923.*

MY telegram No. 96.

As it was important to know exactly what Ismet had said to French High Commissioner with regard to judicial régime for foreigners, I have obtained from latter Ismet's exact words:—

"Je suis d'accord sur le texte de la déclaration relative aux garanties judiciaires qui m'a été proposé; il reste à régler des détails d'application sur la compétence judiciaire, par exemple."

I have informed French High Commissioner that declaration referred to by Ismet must be one drawn up by M. Montagna after our departure, and that His Majesty's Government were in no way committed by this declaration, text of which they had only received five days ago. I have now seen declaration drafted by M. Montagna, which in practice merely reproduces Turkish declaration with a small addition and appears to me to be valueless.

As it is important that there should be no misapprehension in the minds of Turks with regard to declaration which Ismet says he has accepted, I would propose to inform Adnan that I had heard of Ismet's statement on the subject and that I was glad to learn that Turkish delegation had after all accepted declaration submitted to them by Allies on 4th February. If Adnan states that declaration to which Ismet referred is declaration submitted by M. Montagna, I would say that His Majesty's Government had no knowledge until a few days ago of its text and were not in any way committed by it, unless you consider that point is sufficiently covered by statement made by you to Ismet at final meeting on 4th February and given at the bottom of p. 162 and top of p. 163 of White Paper containing draft terms of peace. There is always danger that unless position is made clear to Turks they may consider we have gone back on them with regard to declaration. I do not know whether M. Montagna submitted his declaration on his own account or on behalf of Allies.

No. 328.

Sir H. Rumbold to the Marquess Curzon of Kedleston.—(Received February 20.)

(No. 99.)
(Telegraphic.) R. *Constantinople, February 20, 1923.*

MY telegram No. 95.

Mustafa Kemal and Ismet Pashas met at Eskishehr on 19th February and proceeded together to Angora.

Mustafa Kemal opened Turkish economic [! congress] at Smyrna on 17th February with long speech, general tone of which was rather defiant though not categorically adverse to peace. Speaking of Lausanne Conference, he accused Allies of not realising change that had come over Turkey. Turkish delegation had "naturally" considered draft proposed by Allies unacceptable. Like other delegations it was returning in order to submit situation "to Government and, if necessary, Assembly." Explanations would of course be given and demanded. Whole world must realise, however, that Turkey would stop at nothing to secure full independence. Her rights must be respected, and her power to uphold them was in proportion to their legitimacy.

Speech was not otherwise of special interest politically. Aralof was present at opening of conference

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No. 329.

The Marquess Curzon of Kedleston to Sir H. Rumbold (Constantinople)

(No. 44.)
(Telegraphic.) *Foreign Office, February 20, 1923*

MY telegram No. 40 of 17th February: Turkish military activities in Eastern Thrace.

Further information from same source is to effect that a Turkish division of 12,000 men has recently been moved from Vizve towards the Maritza; that Osman Aga has passed through Constantinople for Eastern Thrace with a large number of irregulars; and that large quantities of war material are reaching Eastern Thrace from Bulgaria viâ Mustafa Pasha.

Please telegraph General Harington's observations as soon as possible.

No. 330

The Marquess Curzon of Kedleston to Sir H. Rumbold (Constantinople).

(No. 45.)
(Telegraphic.) R. *Foreign Office, February 20, 1923.*

YOUR No. 90 of 18th February: Ismet and Lausanne Treaty.

Please thank Ismet Pasha for his friendly sentiments towards myself, and express my confident belief that he will use all his influence in the cause of peace.

No. 331.

The Marquess Curzon of Kedleston to Sir H. Rumbold (Constantinople)

(No. 46.)
(Telegraphic.) D. *Foreign Office, February 20, 1923.*

MR. HENDERSON'S telegrams Nos. 90 and 91 of 17th and 18th February and your telegram No. 95 of 19th February: Ismet and Lausanne Treaty

Note from French Ambassador here shows that Ismet Pasha explained to General Pellé that he regarded as still outstanding the same points as those given

by Adnan Bey in Mr. Henderson's telegram No. 91. Ismet gave it as his opinion that the Grand National Assembly would probably exhaust their discussions in a week, and that he calculated being in a position to address his proposals to the secretary-general of the Lausanne Conference after about that interval.

I do not think that any communication regarding rediscussion of or concessions in treaty should be made to Adnan or to Ismet during this period, which the Allies should, however, utilise to decide on what points and on what terms they are really ready to reopen discussions, and what concessions they are prepared to make on the points to be rediscussed.

My present opinion is that rediscussion should only be permitted on those points which were really outstanding when the British delegation left Lausanne, namely:—

1. Turco-Greek reparation formula;
2. Declaration regarding judicial safeguards for foreigners in Turkey; and
3. Economic clauses.

As at present advised, I would reject any proposal to reopen discussion on other points mentioned in Adnan's letter or which may still be raised by Angora Assembly.

As regards Turco-Greek reparation article, it is really a question of drafting and procedure which remains open. Turks wish that proposed commission should only consider Turkish claims against Greece and not Greek claims against Turkey. It is impossible for the Allies to refuse right of Greece to make counter-claims, but this right might perhaps be left to reservation by Greek delegates when they sign treaty and not appear in the body of the treaty. This or some redrafting of clauses covering the same point would probably allow of an agreement being reached with Turks.

As regards judicial declaration, departmental views on the Ismet draft with the Montagna amendments are on their way to you, Rome and Paris by despatch. I should be glad to receive your considered opinion as to the maximum concession which we could safely offer in this matter.

You took with you a copy of the minutes of a meeting which you attended here on 7th February, giving the considered opinion of the Board of Trade and Foreign Office on the extent to which the economic clauses might be taken out of the treaty for subsequent discussion. The minutes in question also showed generally what points are essential to us and on what we can give way.

I understand that M. Bompard's proposal to take out all economic clauses (71–117) from treaty and deal with them separately and subsequently was a thirteenth-hour attempt to have treaty signed before Ismet left Lausanne. View of Quai d'Orsay is now believed to be to agree to rediscussing of all economic clauses, but to keep them, if and as modified, in the treaty. If so, Italians will probably support them and we could hardly stand out.

As regards procedure, my idea is that when Ismet after the Assembly's discussion makes his written proposals to the secretary of the conference, the three Allied Governments should reply to these proposals stating precisely, as stated above, what they are prepared to discuss and on what conditions. It would be suggested to Ismet that such discussions as the Allies are prepared to reopen should take place not at Lausanne but at Constantinople, between the three Allied High Commissioners and Ismet Pasha or Adnan Bey, either formally or informally. The results of that discussion would be put into the form of draft articles to take their place in the draft treaty prepared at Lausanne.

It may become necessary to consider whether any time limit should be set to these discussions.

As soon as articles have been agreed upon, they should be forwarded at once to the secretary-general at Paris in order that a final draft treaty may be prepared for signature. When a suitable short interval has elapsed after the conclusion of the discussions at Constantinople, final signature could be arranged at some suitable place.

Unless you wish first to consult me further regarding above procedure or line to be adopted regrding fresh concessions, you should at once broach question in above sense with your French and Italian colleagues and ascertain whether they agree.

(Repeated to Rome, No. 53, and Paris, No. 80.)

No. 332.

The Marquess Curzon of Kedleston to His Majesty's Representatives at Paris (No. 81) and Rome (No. 54).

(Telegraphic.) D. *Foreign Office, February* 20, 1923.

MY telegram No. 46 to Constantinople.

Constantinople telegrams, to which this is a reply, showed generally that Ismet Pasha wished to reopen discussions on—

1. Economic clauses.

2. Three separate clauses in the financial section (currency in which interest on debt is to be paid by Turkey, transfer of civil list and Turkish Government property to Governments of detached States without compensation, and inclusion of Turkish war debt in debt to be distributed among succession States).

3. Certain points in special convention regarding régime for foreigners in Turkey. Apparently this refers to such articles as that relating to import of stores for foreign missions and institutions without payment of customs duties.

Ismet apparently regards question of judicial declaration as settled by his agreement with Signor Montagna and Turco-Greek reparation formula as decided in his favour by omission of reference in relevant article to Greek claims against Turkey.

Sir H. Rumbold is in possession of views of His Majesty's Government regarding economic clauses and judicial declaration. As regards latter, our main contention is that the Ismet–Montagna declaration could only be accepted if paragraph in Allied declaration relating to necessity of foreign advisers' consent to domiciliary visits and arrests by Turkish police were inserted in Turkish declaration.

Please convey substance of my telegram to Sir H. Rumbold to Government to which you are accredited, and inform them that we are instructing him to consult his colleagues at Constantinople as to desirability of proceeding on above lines.

(Addressed to Paris, No. 81, and Rome, No. 54; repeated to Constantinople, No. 47.)

[E 2047/6/44] No. 333.

Mr. Bentinck to the Marquess Curzon of Kedleston.—(Received February 21.)

(No. 103.)

My Lord, *Athens, February* 12, 1923.

WITH reference to my telegram No. 64 of the 10th instant, I have the honour to transmit an interesting report which I have received from Colonel Hoare Nairne, military attaché to His Majesty's Legation, giving an account of the recent visit paid by the French military attaché to the Greek army in Thrace and Macedonia.*

2. In this connection I may mention that the French Minister, no doubt out of loyalty to his colleagues, had made a personal suggestion to the Minister for Foreign Affairs that the three military attachés should visit the front together. It appeared to me at once, as I had the honour to report to your Lordship in my telegram No. 22 of the 12th ultimo, that as we could have no relations with General Pangalos, the presence of Colonel Nairne at the front would be most embarrassing to us, and I did not at all favour the suggestion. I was glad to see that your Lordship upheld my view. The Italian Chargé d'Affaires and the Italian military attaché, on the other hand, appeared somewhat hurt at M. Alexandris's refusal, and seemed anxious to press the point, but on hearing from me that His Majesty's Government had no wish for Colonel Nairne to proceed thither, the Italian Government decided to conform their attitude to that of His Majesty's Government.

3. I have the honour to draw your Lordship's attention to what Captain de Colombel says about General Pangalos's confidence in being able to defeat the Turks. I fear that exaggerated confidence is characteristic of the Greeks, as has been proved more than once in the course of the recent campaign in Asia Minor. Captain de

* Not printed.

Colombel is not sanguine, but here again we have found the French wishes father to their thoughts, and they have all along been anxious to discount the ability of the Greek army to effect anything. They appeared to be wrong when the Greeks won their brilliant campaign, in July 1921, at Afium, Karahissar, Koutahia and Eskishehr, but they, of course, will maintain that after the recent collapse in Asia Minor they were right in their estimate of the Greek army.

4. As regards General Pangalos's statement that Greece had no further use for the King, I may here mention that when the revolution began, and immediately after the abdication of King Constantine, before the arrest of the ex-Ministers, General Pangalos told me that it was the "present" policy of the Revolutionary Committee to place King George on the throne. The only other occasion on which I saw General Pangalos was the 3rd December, on the day of Prince Andrew's departure, when, acting as spokesman for his colleagues, he stated emphatically to me that the revolutionary Government had placed King George on the throne and intended to keep him there so long as he kept within the limits of the Constitution. (See my despatch No. 695 of the 4th December.) On that occasion M. Rentis, who had been an avowed Republican, referred in the course of conversation to the burden of monarchy for a small country. I remarked on the happy situation prevailing in the Netherlands, also a small country. M. Rentis replied that the Greeks were not as advanced as the Dutch—the type of excuse, I may remark incidentally, which is given repeatedly in justification of the recent murders. As reported in my despatch No. 93 of the 8th instant, it has been found necessary to keep the republican question in the background. But this need not affect General Pangalos, who, though no doubt anxious to say what he thought would please the French, would, from all one hears, be unlikely to act in accordance with the will of the people if it did not suit his programme, and I agree with Captain de Colombe that he cares little for the opinions of the present Government at Athens or for Colonel Plastiras himself. General Pangalos is an uncertain and dangerous factor, and I do not imagine that he will be willing to retire into oblivion as Colonel Plastiras declares himself ready to do as soon as his work has been accomplished. My Czechoslovak colleague recently informed the King that if General Pangalos did not march on Constantinople he feared that he would turn and march on Athens and declare himself Dictator. Although I hope he exaggerated the situation, yet I feel that this ambitious and unscrupulous general is a danger with which we may have to reckon in the future.

5. In conclusion, I would refer your Lordship to the account of the interview between Colonel Hughes, of the Imperial War Graves Commission, and the Ministers for Foreign Affairs and Agriculture. The British attitude, not only in regard to the Greek warships passing through the Dardanelles, but in regard to the whole question of relations with Turkey and Greece, is a factor which continues to provoke much speculation.

I have, &c.
C. H. BENTINCK.

[E 2055/1045/44] No. 334.

Marquis della Torretta to the Marquess Curzon of Kedleston.—(Received February 21.)

(Translation.)

My Lord, *Italian Embassy, London, February* 16, 1923.

WITH reference to the conversation which I had the honour to have with you last evening, and in compliance with instructions received from my Government, I hasten to transmit to your Lordship herewith a copy of the correspondence exchanged at Paris between the Italian Ambassador and M. Poincaré for the purpose of achieving economic co-operation between the Allied financial groups in Turkey.

As I had the honour to inform your Lordship verbally, the agreement in question has been drawn up with the express intention that it should be completed by the adherence of Great Britain in order to form an agreement *à trois*, similar to the Tripartite Agreement which it is to replace.

Accordingly I beg your Lordship to be so good as to peruse the enclosed documents and inform me of your views in the matter. It is hardly necessary, I think, to add that the Italian Government attach particular importance to the conclusion of the inter-Allied agreement which I have the honour to submit to your Lordship, and I

have every hope that your benevolent consideration of the question will contribute to the attainment of this *entente*, which for Italy represents the sole safeguard of her interests in the East, and which will assuredly not fail to be received by Italian public opinion with the greatest favour.

I have, &c.
TORRETTA.

Enclosure 1 in No. 334.

Baron Avezzana to M. Poincaré.

M. le Président, *Paris.*

AU point où sont arrivées les conversations poursuivies au sujet de la réalisation d'une collaboration économique en Turquie entre les groupes financiers italiens et français, il y aurait avantage à en préciser le programme.

Les droits souverains de la Turquie doivent être respectés et les propositions de nos deux Gouvernements doivent s'inspirer de ce principe. En outre, pour éviter en pareille matière une rivalité qui serait préjudiciable aussi bien au développment régulier des intérêts des particuliers qu'à celui des intérêts de la Turquie, il est nécessaire de mettre autant que possible en commun les efforts des groupes financiers susvisés de nos deux pays qui s'intéressent spécialement aux affaires du Proche-Orient.

C'est dans cet esprit que le Gouvernement italien propose la constitution, à parts égales, d'un syndicat franco-italien ("holding company"), dont le programme pourrait être le suivant :

1. Le syndicat s'efforcera de centraliser la réorganisation financière et industrielle des chemins de fer de Turquie et de réaliser l'unification de leur exploitation, notamment :

(*a.*) Il entreprendra des négociations pour s'assurer le contrôle de l'exploitation des chemins de fer d'Anatolie et de Bagdad.

(*b.*) Il pourra s'entendre avec les sociétés qui, sous le contrôle allié, exploitent actuellement des chemins de fer en Turquie, en vue de prendre des intérêts dans leurs entreprises, étant entendu que les participations accordées au syndicat dans ces sociétés ne devront pas entraîner des modifications dans le contrôle desdites sociétés.

(*c.*) Il s'emploiera à obtenir, par entente avec les groupes intéressés que les concessions de nouvelles lignes ferrées (non encore exploitées), y compris celles qui, sans être encore régulièrement octroyées, ont fait l'objet de négociations et d'accords entre le Gouvernement ottoman et les Gouvernements alliés, soient exploitées sous son contrôle.

2. Les groupes participants pourront, après accord préalable avec le syndicat, obtenir directement ou indirectement les nouvelles concessions de chemins de fer dont l'obtention était également visée par le syndicat. Dans ce cas, le syndicat aura un droit de préférence pour l'exploitation de ces concessions.

3. Les concessions concernant les ports et les quais qui desservent ou desserviront les lignes de chemins de fer auxquelles le syndicat se trouvera intéressé, rentreront dans le cadre des opérations du syndicat qui pourra en poursuivre la réorganisation ou l'exploitation dans des conditions analogues à celles prévues pour les chemins de fer, et compte tenu des droits des sociétés existantes.

4. Le syndicat recherchera la coordination des intérêts particuliers que les participants possèdent, ou qu'ils pourront acquérir directement ou indirectement dans le bassin d'Héraclée, en ce qui concerne aussi bien l'exploitation des mines que la construction des moyens de transport et d'embarquement.

5. Le syndicat déploiera ses efforts pour obtenir des concessions de pétrole en Turquie et pour participer à toute entreprise ayant pour objet le transport et le raffinage, à laquelle il jugera bon de s'intéresser.

6. Chacun des groupes participants aura toute liberté pour solliciter et obtenir en Turquie des concessions d'autre nature que celles qui ont été envisagées ci-dessus ; notamment des concessions de navigation fluviale ou lacustre, d'irrigation et d'entreprises agricoles de production et de transport d'énergie électrique, ainsi que d'exploitations forestières. Ils devront en informer le syndicat, qui, le cas échéant, pourra traiter avec les concessionnaires en vue de l'exploitation de leurs concessions.

7. Tout en sauvegardant le principe d'une bonne exploitation industrielle, le syndicat devra toujours s'inspirer dans son activité financière, administrative, technique et commerciale, du principe de la représentation proportionnelle des intérêts particuliers de chaque groupe dans chacune des sociétés qu'il contrôlera.

8. Dans les six mois qui suivront la ratification du traité de paix, le syndicat se constituera en société anonyme. Les statuts et règlements de cette société seront fixés d'un commun accord entre les participants.

Telles sont les grandes lignes du programme du syndicat proposé, dont la création est désirée par les deux Gouvernements, qui inviteront les représentants des groupes français et italiens à entrer en rapport pour arrêter d'un commun accord les conditions techniques de la constitution du syndicat.

Bien que sa constitution ait été favorisée par les deux Gouvernements, le syndicat ne pourra prétendre à un appui diplomatique exclusif en Turquie.

Cette entente sera portée à la connaissance du Gouvernement britannique. Il est d'ores et déjà entendu que le syndicat réservera explicitement aux groupes britanniques de participer au syndicat, aux mêmes conditions que les groupes français et italiens.

Je vous prie, M. le Président, de bien vouloir me confirmer l'accord du Gouvernement français sur ce qui précède, et je saisis, &c.

ROMANO AVEZZANA.

Paris, le 3 février 1923.

Enclosure 2 in No. 334.

Baron Avezzana to M. Poincaré.

M. le Président, *Paris, le 3 février* 1923.

ME référant à l'échange de lettres concernant la formation du Syndicat franco-italien, j'ai l'honneur de faire les déclarations suivantes :

1. Mon Gouvernement a pris connaissance de l'article 10 de l'Accord franco-turc signé à Angora le 20 octobre 1921 et relatif aux chemins de fer de Bagdad, et il n'a aucune objection à formuler au sujet de l'établissement d'une société française pour l'exploitation des lignes de chemins de fer de Bagdad qui se trouvent à l'est de Bozanti-Han.
2. L'article 5 du projet de syndicat ne vise pas les pétroles de la région de Mossoul qui font l'objet de négociations spéciales.

Veuillez agréer, &c.
ROMANO AVEZZANA.

Enclosure 3 in No. 334.

Baron Avezzana to M. Poincaré.

M. le Président, *Paris, le 3 février* 1923.

J'AI l'honneur de me référer aux lettres qui ont été échangées avec votre Excellence en date d'aujourd'hui pour vous confirmer que la constitution du Syndicat franco-italien prévue par lesdites lettres sera considérée par nos deux Gouvernements comme la réalisation, au point de vue économique, de l'accord particulier du 28 mars 1922.

Dans le cas où leurs efforts dans ce sens resteraient sans résultat, les deux Gouvernements se concerteraient à nouveau, pour assurer par d'autres moyens le respect des engagements réciproques qui découlent de l'accord du 10 août 1920, dit Accord tripartite.

Veuillez agréer, &c.
ROMANO AVEZZANA.

Enclosure 4 in No. 334.

M. Poincaré to Baron Avezzana.

M. l'Ambassadeur, *Paris, le 3 février* 1923.

J'AI l'honneur de me référer aux lettres qui ont été échangées avec votre Excellence, en date d'aujourd'hui, pour vous confirmer que la constitution du Syndicat

franco-italien prévue par lesdites lettres sera considérée par nos deux Gouvernements comme la réalisation, au point de vue économique, de l'accord particulier du 28 mars 1922.

Dans le cas où leurs efforts dans ce sens resteraient sans résultats, les deux Gouvernements se concerteraient à nouveau pour assurer par d'autres moyens le respect des engagements réciproques qui découlent de l'accord du 10 août 1920, dit Accord tripartite.

Agréez, &c.
POINCARÉ.

Enclosure 5 in No. 334.

M. Poincaré to Baron Avezzana.

Paris, le 3 février 1923.

M. l'Ambassadeur,

M'E référant à l'échange de lettres concernant la formation du Syndicat franitalien, j'ai l'honneur de faire les déclarations suivantes :

1. Je prends acte de ce que votre Gouvernement a pris connaissance de l'article 10 de l'Accord franco-turc signé à Angora le 20 octobre 1921 et relatif au Chemin de Fer de Bagdad et n'a aucune objection à formuler au sujet de l'établissement d'une société française pour l'exploitation des lignes de Chemin de Fer de Bagdad qui se trouvent à l'est de Bozanti-Han.
2. L'article 5 du projet de syndicat ne vise pas les pétroles de la région de Mossoul, qui font l'objet de négociations spéciales.

Veuillez agréer, &c.
POINCARÉ.

Enclosure 6 in No. 334.

M. Poincaré to Baron Avezzana.

Paris, le 3 février 1923.

M. l'Ambassadeur,

J'AI l'honneur d'accuser réception de vos trois lettres de ce jour.

Au point où sont arrivées les conversations, poursuivies au sujet de la réalisation d'une collaboration économique en Turquie entre les groupes financiers français et italiens, le Gouvernement français pense, comme le Gouvernement italien, qu'il serait utile d'en préciser le programme.

Les droits souverains de la Turquie doivent être respectés et les propositions de nos deux Gouvernements doivent s'inspirer de ce principe. En outre, pour éviter en pareille matière une rivalité qui serait préjudiciable aussi bien au développement régulier des intérêts des particuliers qu'à celui des intérêts de la Turquie, il est nécessaire de mettre autant que possible en commun les efforts des groupes financiers de nos deux pays, qui s'intéressent spécialement aux affaires du Proche-Orient.

C'est dans cet esprit que le Gouvernement français propose la constitution, à parts égales, d'un syndicat franco-italien (holding company) dont le programme pourrait être le suivant :

1. Le syndicat s'efforcera de centraliser la réorganisation financière et industrielle des chemins de fer en Turquie et de réaliser l'unification de leur exploitation. Notamment :

   (*a.*) Il entreprendra des négociations pour s'assurer le contrôle de l'exploitation des chemins de fer de l'Anatolie et de Bagdad ;

   (*b.*) Il pourra s'entendre avec les sociétés qui, sous le contrôle allié, exploitent actuellement des chemins de fer en Turquie, en vue de prendre des intérêts dans leurs entreprises, étant entendu que les participations accordées au syndicat dans ces sociétés ne devront pas entraîner de modification dans le contrôle desdites sociétés ;

   (*c.*) Il s'emploiera à obtenir, par entente avec les groupes intéressés, que les concessions de nouvelles lignes ferrées (non encore exploitées), y compris celles qui, sans être encore régulièrement octroyées, ont fait l'objet de négociations et d'accords entre le Gouvernement ottoman et les Gouvernements alliés, soient exploitées sous son contrôle.

2. Les groupes participants pourront, après accord préalable avec le syndicat, obtenir directement ou indirectement les nouvelles concessions de chemins de fer dont l'obtention était également visée par le syndicat. Dans ce cas, le syndicat aura un droit de préférence pour l'exploitation de ces concessions.
3. Les concessions concernant les ports et les quais qui desserviront ou desserviront les lignes de chemins de fer auxquelles le syndicat se trouvera intéressé, rentreront dans le cadre des opérations du syndicat, qui pourra en poursuivre la réorganisation ou l'exploitation dans des conditions analogues à celles prévues pour les chemins de fer et compte tenu des droits des sociétés existantes.
4. Le syndicat recherchera la coordination des intérêts particuliers que les participants possèdent ou qu'ils pourront acquérir directement ou indirectement dans le bassin d'Héraclée, en ce qui concerne aussi bien l'exploitation des mines que la construction des moyens de transport et d'embarquement.
5. Le syndicat déploiera ses efforts pour obtenir des concessions de pétrole en Turquie et pour participer à toute entreprise ayant pour objet le transport et le raffinage du pétrole à laquelle il jugera bon de s'intéresser.
6. Chacun des groupes participants aura toute liberté pour solliciter et pour obtenir en Turquie des concessions d'autre nature que celles qui ont été envisagées ci-dessus ; notamment des concessions de navigation fluviale ou lacustre, d'irrigation ou d'entreprises agricoles, de production et de transport d'énergie électrique, ainsi que d'exploitations forestières. Ils devront en informer le syndicat, qui, le cas échéant, pourra traiter avec les concessionnaires en vue de l'exploitation de leurs concessions.
7. Tout en sauvegardant le principe d'une bonne exploitation industrielle, le syndicat devra toujours s'inspirer, dans son activité financière, administrative, technique et commerciale, du principe de la représentation proportionnelle des intérêts particuliers de chaque groupe dans chacune des sociétés qu'il contrôlera.
8. Dans les six mois qui suivront la ratification du Traité de Paix, le syndicat se constituera en société anonyme. Les statuts et règlements de cette société seront fixés d'un commun accord entre les participants.

Telles sont les grandes lignes du programme du syndicat proposé dont la création est désirée par les deux Gouvernements, qui inviteront les représentants des groupes français et italiens à entrer en rapports pour arrêter d'un commun accord les conditions techniques de la constitution du syndicat.

Bien que sa constitution ait été favorisée par les deux Gouvernements, le syndicat ne pourra pas prétendre à un appui diplomatique exclusif en Turquie.

Cette entente sera portée à la connaissance du Gouvernement britannique. Il est d'ores et déjà entendu que le syndicat réservera explicitement aux groupes britanniques le droit de participer au syndicat, aux mêmes conditions que les groupes français et italiens.

Conformément au désir que m'exprime votre Excellence, j'ai l'honneur de vous confirmer l'accord du Gouvernement français sur ce qui précède et je saisis, &c.

POINCARÉ.

No. 335.

Sir H. Rumbold to the Marquess Curzon of Kedleston.—(Received February 21.)

(No. 100.)
(Telegraphic.)

Constantinople, February 21, 1923.

YOUR telegram No. 40.

Following is summary of General Harington's observations.

1. [illegible] cavalry have entered Eastern Thrace via Midia.

2. Four batteries were landed at Rodosto in January, and seven reliably reported to have been landed later. Most of the men and material probably go to these ports. The navy cannot stop this without having right of search

3. Numbers have arrived in plain clothes. There are probably 20,000 organised soldiers now in Constantinople. Incidentally Turks offered this number to General Harington for defence of Constantinople in August last.

4. Untrue.

5. Untrue. This was verified by recent visit of destroyer.

6. No Turkish aeroplanes are known to be in Thrace.

7. In addition to probably 13,000 armed men in Eastern Thrace, including 8,000 gendarmes, there are probably 17,000 registered, but not yet armed or clothed.

8. Perhaps twenty batteries at the most. Refet Pasha is pressing for more artillery and clothing.

No. 336.

Sir H. Rumbold to the Marquess Curzon of Kedleston.—(Received February 21.)

(No. 101.)
(Telegraphic.) *Constantinople, February 21, 1923.*

YOUR telegram No. 44.
General Harington states:

1. British representatives at headquarters know of only two battalions at Vize.
2. Osman Aga has gone to Eastern Thrace: he has probably a band of 250 lazes with him
3. No confirmation regarding war material from Bulgaria.

No. 337.

Sir H. Rumbold to the Marquess Curzon of Kedleston.—(Received February 21.)

(No.102.)
(Telegraphic.) D. *Constantinople, February 21, 1923*

YOUR telegram No. 41.

I have dicussed matter with my Allied colleagues and M. Closières.

Italian High Commissioner has been instructed to try and settle matter in Constantinople lest Allied Governments be held responsible for repayment to Ottoman Public Debt of loan authorised by High Commissioners, but my French colleague is without instructions.

It appears that director-general of Ottoman Bank will neither sell gold nor hand it over to Ottoman Public Debt for sale by letter unless direct force be used. This would presumably mean sending an armed detachment to bank to take gold. Bank, as Ottoman institution, is subject to jurisdiction of Turkish police and not of Allied police. It would therefore be preferable to avoid forcible measures, which do not in any case recommend themselves to my colleagues and to myself in present circumstances.

It was pointed out that director-general would be obliged to comply with direct instructions sent to him by London or Paris committees of bank.

French and Italian High Commissioners are telegraphing to their Governments in the above sense. Simplest solution would in fact be to induce committees to instruct director-general to sell gold in the manner originally proposed.

[E 2083/35/44] No. 338.

Lord D'Abernon to the Marquess Curzon of Kedleston.—(Received February 22.)

(No 108.)
My Lord, *Berlin, February 18, 1923.*

I HAVE given close attention to the subject of your Lordship's despatch No. 214, in which it is stated that the French Government has information to the effect that Soviet agents in Berlin and Sofia have brought about the conclusion of a Russo-German-Turkish Treaty.

It appears to me probable that Soviet agents here may have endeavoured to promote some kind of understanding between the three countries concerned, but I am doubtful whether the present German Government would be inclined to entertain any such proposal. Their advice to Turkish unofficial representatives here has of late been strongly in the direction of the conclusion of peace with England. It is a guiding principle to-day not to encourage a conflict in the Near East or elsewhere which would embarrass Great Britain. In this connection I would draw your Lordship's attention to the interview between the German Minister for Foreign Affairs and a special Turkish envoy, reported in my despatch No. 84 of the 8th instant, during the course of which Dr. Rosenberg warned him not to imagine that England was so war-weary as to be unable to resume hostilities. He also told the Turk that if he wanted money for his country it was essential to keep friends with England and America, as those were the only markets where, at the present time, loans could be floated.

As regards the German-Russian elements in the alleged agreement, the German Government are by no means inclined to weld their position into that of Moscow. The leading members of the present German Government stand much too far to the Right not to be extremely suspicious of anything with a Communist tinge. While they might conceivably, by force and extreme stress of circumstances, be willing to undertake joint action with Russia, they would do so with reluctance and with a dread of possible consequences as regards the increase of Bolshevism in Germany. This feeling of apprehension, which is not confined to the present Government nor to any political party, nor even to parties of the Right—for it is shared by many moderate socialists in Germany—is entirely overlooked by informants of the "Daily Mail" school. As a matter of fact, however, it governs the whole relationship.

There is a considerable desire here to get back to friendly relations with Mussulman countries; but most Germans who know the East are conscious that relations between individual Germans and Turks were never very friendly owing to temperamental differences. They frankly recognise that we have an advantage over them in that direction.

The haunting fear in the German mind is an alliance between France and Russia. While the Government leaders here distrust the Soviet intensely, they will never willingly break with them, (*a*) because they require their assistance to keep Poland quiet; (*b*) because they fear that if Germany broke with Russia a Russian-French alliance might emerge.

In paragraph 2 of your Lordship's despatch under reference it is stated that secret information from other sources is to the effect that intrigues are going on between German and Hungarian reactionaries and the Turks. Escherich is reported to have gone to Lausanne and to have assured Ismet that 600,000 armed men were available in Germany. It is not stated for what purpose they were to be employed, and I do not see in what way they could help the Turks or the Turks them. Of course Escherich is quite an irresponsible individual with wild ideas, and he talks a great deal through his hat. What is meant by 600,000 armed men? There are 5,000,000 trained men in Germany, but there are not arms for any large number—if by the term "arms" one means complete military equipment including guns and so forth. It is difficult to say what number of rifles there may be; but, if there were a force of 600,000 properly-equipped men in Germany it is highly probable they would be in the Ruhr at the present moment.

Escherich is further reported to have said that the co-operation of Hungary and some of the Balkan States was essential if Germany was to undertake to attack France. It seems very improbable that he could have believed in the co-operation of any Balkan State except Hungary. It is quite likely that a good deal of secret confabulation has gone on between Munich and Budapest, but I think it has been exclusively of the "Putsch" character and confined to "Freikorps" representatives. I do not believe the German Government has taken any part in it, and even the Munich Government, which is more adventurous, is alleged on fairly good authority to look somewhat askance on all these conversations.

I have, &c.
D'ABERNON.

No. 339.

Sir H. Rumbold to the Marquess Curzon of Kedleston.—(Received February 22.)

(No. 103.)
(Telegraphic.) R. *Constantinople, February 22, 1923.*

YOUR telegram No 42.
Action has been taken.

No. 340.

Sir H. Rumbold to the Marquess Curzon of Kedleston.—(Received February 22.)

(No. 104.)
(Telegraphic.) D. *Constantinople, February 22, 1923.*

YOUR telegram No. 46.

I communicated essential portions of your telegram to my French and Italian colleagues last night and held meeting with them this morning to discuss it.

I explained fully situation regarding outstanding points up to moment of your Lordship's departure from Lausanne and adverted to what had passed on following day between Turkish, French and Italian delegates. I then invited their opinions on procedure now suggested by you.

Italian High Commissioner said he had instructions from his Government on such entirely different lines that he was precluded from even discussing your proposal. Following is substance of his telegram from Rome dated 20th February:—

"I do not consider that it would be expedient that negotiations should be continued by Adnan and High Commissioners. Secretariat-general of conference remains at Lausanne, and its authority should not be diminished by discussions with which it would have no connection. It is desirable to maintain intact as far as possible situation ultimately produced at Lausanne, in accordance with which negotiations would normally be resumed through secretariat

"Statements made by Ismet in Constantinople might serve as bait for resumption of discussions at Lausanne between experts only with a view to agreement on outstanding questions, after attainment of which delegates would again meet."

French High Commissioner had no instructions. Though at first nervous as to responsibility with which High Commissioners would be saddled, he eventually expressed himself personally favourable to your plan.

Both my colleagues laid stress on question whether proceedings here would be official or unofficial. I pointed out that you had left this open, but said I thought that High Commissioners would really be fulfilling rôle which would have been performed by a sub-commission at Lausanne, where members of sub-commissions met as representatives of their Governments without power to commit latter completely, but where in practice results agreed in sub-commissions were invariably accepted by conference. I expressed fear that Italian plan would merely produce deadlock as before, as experts, if left to themselves, would not have authority to effect final diplomatic bargains, which in other cases had alone made agreed results possible at Lausanne.

My own view is that if attitude taken up at Angora renders it possible to confine further discussion to points enumerated in your telegram under reply, suggested procedure might produce settlement. But I cannot disguise from myself fact that detailed discussion of economic clauses here would take much time—perhaps several weeks—during which extraneous events may bring about hostilities, especially in view of present temper of both Grand National Assembly and of Greeks.

My colleagues will of course report to their Governments. I myself hope to be able to offer more definite opinion when I know trend of preliminary discussions in Grand National Assembly, which began yesterday

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No. 341.

The Marquess Curzon of Kedleston to Sir H. Rumbold (Constantinople).

(No. 48.)
(Telegraphic.) *Foreign Office, February 22, 1923.*

MR. HENDERSON'S despatch No. 100 of 13th February: Smyrna incident

Do you endorse recommendation that H.M.S. "Curaçao" might now be withdrawn?

Having effectively demonstrated by her despatch the principle on which we base our position, it seems possible that her withdrawal might be equally effective as a sign of conciliation and goodwill, since it would not only extricate the Turks from a very difficult position, but might also strengthen the hands of Ismet at Angora.

What are your views?

No. 342.

The Marquess Curzon of Kedleston to Sir H. Rumbold (Constantinople).

(No. 49.)
(Telegraphic.) *Foreign Office, February 22, 1923.*

YOUR telegram No. 97 of 20th February: Montagna–Ismet judicial declaration

Please see my telegram No. 46 of 20th February and my telegram No. 81 to Paris and Rome.

I would prefer to await result of your consultation with your Allied colleagues before embarking on what might amount to a separate correspondence with Angora regarding declaration in question. Doubtless, however, you will be able to make our position quite clear verbally to Adnan Bey.

No. 343.

Sir H. Rumbold to the Marquess Curzon of Kedleston.—(Received February 23.)

(No. 105.)
(Telegraphic.) *Constantinople, February 22, 1923.*

MY immediately preceding telegram.

Though I only spoke to my colleagues of points enumerated in your telegram No. 46, I fear chance of Turks agreeing to limit further discussion to these points is small. This applies more particularly to financial clauses which Adnan mentioned in private letter to Mr. Henderson. Turks will doubtless rely on following facts:

1. In their last written statement—namely, Ismet's note of 4th February—they said that suppression of explanatory note to table of debt was "indispensable."

2. Same note spoke of other questions as partially solved or not yet settled without specifying them; list of "essential questions" appended to note excludes section 3 of financial clauses, which contains article relative to civil list property in detached territory.

No. 344.

Sir H. Rumbold to the Marquess Curzon of Kedleston.—(Received February 23.)

(No. 106.)
(Telegraphic.) *Constantinople, February 22, 1923.*

ADMIRAL BROCK and General Harington came to-day to discuss situation with me. They asked my opinion as to how long His Majesty's Government intended to maintain British troops at Constantinople in the present circumstances, and what a rupture with Nationalists would mean if Grand National Assembly decided to reject treaty altogether and not ask for another discussion. They enquired what French and Italians would be likely to do in the event of hostilities.

I replied I could not express a definite opinion on any of these points. Whilst making allowances for their natural desire to know approximately date on which British troops were likely to be withdrawn from Constantinople, I said in my view it was indispensable that those troops should remain here pending a definite solution one way or another of question of treaty. It was impossible to foretell what form a rupture would take. The Turks were past-masters in the art of spinning out matters, and might find means of prolonging the present uncertain situation for some time to come. I thought Ismet was sincerely desirous of peace, and that it would not come to a definite breach between Allies and Turks involving hostilities. Still, I recognised situation was critical, though political considerations rendered it necessary in the present circumstances to incur risk entailed by retention of British troops here. I could not say what French or Italians would do if hostilities broke out.

Both admiral and general dwelt on the unsoundness of Allied military position here, having regard especially to their knowledge of action contemplated by Nationalist organisations in Constantinople and its suburbs in the event of hostilities. They pointed out that approach of spring would permit of military operations. They also said that Kemalist army had, on the whole, come through the winter well. Desertions had been few, which was a proof that discipline was good.

I said my visitors had no doubt acquainted their respective Secretaries of State with their views on the military and naval situation at Constantinople.

No. 345.

Sir H. Rumbold to the Marquess Curzon of Kedleston.—(Received February 23.)

(No. 107.)
(Telegraphic.) *Constantinople, February 22, 1923.*

I LEARN from a secret source that Ismet Pasha's aide-de-camp stated Ismet was strongly in favour of peace, broadly on lines proposed by your Lordship, and would do his utmost to obtain consent of Assembly, going even to length of resigning in the event of failure. Differences between Ismet and other members of delegation are acute, largely on account of [group undecypherable] Riza Nur.

Same source reports formation at Angora of secret national defence organisation under presidency of Kavakli Fevzi Pasha, with object of creating a political party after peace, of which main plank would be restoration of Sultanate and resurrection of old Constitution. It is reported that Raouf Bey is connected with this organisation, into which it is hoped to draw Ismet.

No. 346.

Sir H. Rumbold to the Marquess Curzon of Kedleston.—(Received February 23.)

(No. 110.)
(Telegraphic.) *Constantinople, February 23, 1923.*

YOUR telegram No. 48.

It is difficult to say with absolute certainty whether withdrawal of H.M.S. "Curaçao" from Smyrna would be more calculated to give impression of weakness or to produce good effect. Though in some respects I would have preferred to await reply to our last note on the subject, I recognise that Smyrna incident has receded into background as considerations of treaty now fill the picture at Angora. Since permission to stay in Smyrna was originally refused to vessels larger than destroyers, fact of one American cruiser remaining would still constitute maintenance of our original principle. I understand that from British naval point of view withdrawal would be welcome. Moreover, if withdrawal were effected at once it might effectively strengthen Ismet's hands, especially as Grand National Assembly meets to discuss treaty to-morrow, 24th February.

On the whole, therefore, I recommend withdrawal, provided it be effected without delay. If you decide accordingly, I would at once make clear to Adnan motives which have inspired our action. I presume that if H.M.S. "Curaçoa" were withdrawn battleships and destroyers supporting her in Gulf of Smyrna would similarly be withdrawn.

No. 347.

Mr. Bentinck to the Marquess Curzon of Kedleston.—(Received February 24.)

(No. 73.)
(Telegraphic.) R. *Athens, February 23, 1923.*

MY telegram No. 70.

In interview with press, Colonel Plastiras is reported to have said that everything depended on decisions at Angora. If Turks accepted Lausanne conditions there would be peace, otherwise Greece was ready for every eventuality. He did not know what Powers would do, but Greece would not accept any fresh concessions.

(Repeated to Constantinople, No. 42.)

No. 348.

Sir H. Rumbold to the Marquess Curzon of Kedleston.—(Received February 24.)

(No. 111.)
(Telegraphic.) *Constantinople, February 23, 1923.*

LATEST reports from Angora indicate that Council of Ministers concluded deliberations on the 20th, and prepared proposals to submit to Grand National Assembly to-morrow. I have no reliable information as to what these proposals are. Great excitement prevails in Angora, and feeling in Grand National Assembly and press appears to be chauvinistic. Publicity given to this tendency may be due to desire to alarm Allies and to pave the way for demand for further concessions regarding judicial régime, Greek indemnity, financial and economic clauses. Nevertheless, it seems probable that extremists and perhaps some members of council are bringing pressure on Ismet to reopen questions actually settled at Lausanne, *e.g.*, Mosul and Karagatch. According to one version, from sometimes well-informed source, Council of Ministers themselves wish to make acceptance of present arrangement regarding Mosul subject to immediate rectification of frontier.

In conversation with Counsellor this afternoon, Adnan stated very categorically that principal difficulty would be over payments of interest on debt on gold basis.

Decision of Grand National Assembly is not to be expected before Monday at earliest.

No. 349.

Sir R. Graham to the Marquess Curzon of Kedleston.—(Received February 24.)

(No. 43.)
(Telegraphic.) D. *Rome, February 24, 1923.*

YOUR telegram No. 54.

Following is substance of Italian reply:—

"Italian Government agree that no communication should be made to Ismet or Adnan during discussion at Angora, and they favour employment of this period for reaching agreement amongst Allies as to points which can be rediscussed.

"Italian Government agree with your Lordship on principle that any proposal for reopening discussion on other points than the three enumerated in your telegram No. 53 should be rejected lest it be made a pretext for reopening whole negotiations. In practice, however, they consider any concrete and well-defined proposal could be accepted if it would facilitate conclusion of peace.

"As regards the three points mentioned by His Majesty's Government—

"1. *Turco-Greek Reparation Formula.*—Italian Minister for Foreign Affairs learned from Italian delegation at Lausanne that some sort of agreement had already been reached. Ismet, after withdrawing from session of 4th February, presented modification to formula proposed by British delegation, to which the three Allied delegations made no objection. It is therefore merely a question of drafting and procedure.

"2. *Declaration regarding Judicial Safeguards for Foreigners.*—Italian Government agree with His Majesty's Government that insertion of paragraph from Allied formula relating to domiciliary visits and arrests would be preferable as constituting an effective guarantee for foreigners in Turkey. Ismet, on the other hand, considers, not without reason, that question is now settled by agreement with Signor Montagna, who visited him on evening of 4th February with authority from heads of Allied delegations to submit to him a formula upon which Allies could be assured to be agreed, since your Lordship yourself awaited the return of delegates at station before finally deciding to leave.

"In these circumstances Italian Government consider it somewhat difficult to go back on a question which Turks have some justification for regarding as settled. Italian Government would be ready, however, to reopen discussion in sense required on condition that it should not constitute insurmountable obstacle to conclusion of peace.

"3. *Economic Clauses.*—Italian Government confirm what Italian delegation were prepared to grant, namely, that these clauses should be removed from treaty and reserved for subsequent discussion.

"As regards procedure of secretariat of conference, the three Governments should only reply after having agreed upon points upon which they are ready to reopen discussion and conditions in which this should be done. They consider that this reply should also be sent through secretariat of conference.

"Italian Government appreciate delicate reasons why His Majesty's Government do not insist on resumption and conclusion of discussions at Lausanne, which was chosen by your Lordship as seat of conference to avoid Turkish territory. For this latter reason in particular, however, since atmosphere in Turkey is extremely perilous, Italian Government consider it preferable that discussions should be resumed at Lausanne, thus continuing and closing conference which both Allies and Turks only regard as suspended. Again, in event of failure of negotiations at Constantinople, it would be more difficult to resume them elsewhere. Finally, with the exception of Sir H. Rumbold, Allied High Commissioners, not having participated at Lausanne, are not *au courant* with negotiations.

"Italian Government would prefer that Turkish Government be invited to resume discussions at Lausanne, through a small technical commission. Once agreement had been reached by such a commission, Allied delegates could return and sign peace."

No. 350.

Admiralty to Commander-in-chief, Mediterranean.

(No. 538.)
(Telegraphic.) *February* 24, 1923.

YOUR No. 839 approved to withdraw "Curaçoa" and all vessels at Pelican Spit. "Calypso" or one other light cruiser not bearing a flag officer is to remain at Smyrna for the present.

No. 351.

The Marquess Curzon of Kedleston to Sir H. Rumbold (Constantinople).

(No. 57.)
(Telegraphic.) D. *Foreign Office, February* 24, 1923.

YOUR telegram No. 110 of 23rd February: Smyrna incident.

Admiralty have been asked to withdraw "Curaçoa" from Smyrna and battle ships and other supporting vessels from outside harbour, leaving "Calypso," as before, in Smyrna.

You should inform Adnan Bey, and ask him to notify Angora that action of His Majesty's Government, while in no way indicating abandonment of principle affirmed by original despatch of "Curaçoa" and maintained by retention of "Calypso," is

intended as a sign of conciliation and friendliness; it is hoped by thus extricating the Turks from a difficult situation to close the incident and also to strengthen the hands of Ismet Pasha and of the Moderate party at Angora.

You should also inform your French and Italian colleagues, explaining that retention of "Calypso" maintains the principle which the Allies are united in wishing to uphold.

No. 352.

Sir H. Rumbold to the Marquess Curzon of Kedleston.—(Received February 25.)

(No. 114.)
(Telegraphic.) D. *Constantinople, February* 25, 1923.

MY telegram No. 104.

My Italian colleague has communicated to me substance of a further telegram from his Government despatched after receipt of proposals contained in your telegram No. 46.

M. Mussolini considers that since Allies and Turks are agreed to regard Conference of Lausanne as simply adjourned, it would be preferable that negotiations should be resumed and continued up to their eventual conclusion at Lausanne.

He adds that if Ismet Pasha makes his proposals through Secretary-General of Conference he will be answered through the same channel. A small technical commission would assemble at Lausanne, and when final agreement had been reached delegates would proceed there for signature of treaty.

No. 353.

Sir H. Rumbold to the Marquess Curzon of Kedleston.—(Received February 25.)

(No. 115.)
(Telegraphic.) R. *Constantinople, February* 25, 1923.

YOUR telegram No. 57.

Chief dragoman informed Adnan this afternoon of decision of His Majesty's Government to withdraw all ships from Smyrna except one light cruiser. Naval arrangement is to replace "Calypso" by "Carysfort" to-morrow and to withdraw other ships on Tuesday. This was carefully explained to Adnan in order that arrival of "Carysfort" should not give rise to misunderstanding.

Chief dragoman made it clear that this was gesture of goodwill, and emphasised your share in it. He pointed out that question of principle is not affected and remains to be settled when Angora Government reply to last Allied note. Adnan expressed utmost satisfaction.

No. 354.

Sir H. Rumbold to the Marquess Curzon of Kedleston.—(Received February 25.)

(No. 116.)
(Telegraphic.) R. *Constantinople, February* 25, 1923.

ADNAN BEY has just informed me that he has received a telegram from Ismet to say that Angora Government had decided to release the two British aviators at once and that they would be sent to Smyrna by first opportunity, which he explained means by first train. Nationalist authorities took note of General Harington's verbal assurance that British aircraft would not cross boundary of neutral zone in future.

I said I was sure that you would be gratified to learn of Ismet's successful intervention in this matter. On his part, Adnan expressed great satisfaction at decision of His Majesty's Government to withdraw superfluous ships from Smyrna.

Solution of these two incidents will make for creation of a better atmosphere.

No. 355.

Sir H. Rumbold to the Marquess Curzon of Kedleston.—(Received February 25.)

(No. 117.)
(Telegraphic.) R. *Constantinople, February 25, 1923.*

YOUR telegram No. 45.

Adnan communicated this afternoon following message from Ismet Pasha to you :—

" I present to your Excellency my best respects and thanks for message received on my passage through Constantinople, and for good wishes which you have just sent me.

" Allow me to say that I still entertain conviction that mere knowledge of humble claims of Turkish people, which, like every people, asks only to live free and independent, is conducive to and sufficient to assure world peace."

[E 2189/6/44] No. 356.

Mr. Henderson to the Marquess Curzon of Kedleston.—(Received February 26.)

(No. 112.)
My Lord, *Constantinople, February 15, 1923.*

I RECEIVED yesterday, with the cognisance of Adnan Bey, a visit from General Refet Pasha, who arrived a few days ago in Constantinople with a view to meeting Ismet Pasha on his way through.

2. Refet Pasha expressed the conviction that peace, which he said the whole nation ardently desired, would soon be signed. He expressed himself, however, somewhat violently on the subject of the financial clauses and the arrangement in respect of the payment of the interest of the Ottoman public debt, and he declared that France was pursuing in regard to Turkey the same policy as she was following towards Germany, namely, not giving either country the opportunity of that recovery which was so necessary to enable them to meet their financial obligations. He made no mention of the economic clauses and appeared to regard them with detachment. He seemed also to take a philosophical view of the settlements arrived at in regard to Mosul and Karagatch. He pretended to regard the refusal to allow Turkey to fortify the Straits as a solution which would ultimately be to the disadvantage of Great Britain. He said that, though he did not profess to love the English, he recognised the fatality which rendered good relations with Great Britain indispensable to Turkey.

3. Refet Pasha's special interest in the financial clauses tends to confirm the belief that he is a Deunmé, or Islamised Jew.

4. He told me that he was returning almost immediately to Thrace, from which he could not long remain absent owing to the continued menace of the Greeks, who, he said, were again concentrating in Western Thrace. He argued at considerable length on that subject, though I do not know whether he was seriously impressed with the danger or whether he desired to convince me that his return there was in the interests of peace, and with a view to preventing incidents, rather than, as I am inclined to believe, to the direct orders of his Government, which considers his prolonged stay in Constantinople to be undesirable.

5. Refet Pasha's theory of the Greek menace was as follows: Apart from Russia, Greece is the only country which stands to gain from a renewal of hostilities. She would therefore like to provoke them, provided that the responsibility be not brought home to her. She might be able to do this by causing an incident in Thrace of a sufficiently serious nature to induce the Turks in the Ismid Peninsula to advance to the assistance of their countrymen in Thrace. This would entail a conflict with the British, whereupon such Greek forces as had crossed into Eastern Thrace would at once retire again to the right bank of the river and declare that they had not been the aggressors, but the victims of an attack. In the confusion, resulting from the beginning of a new war, this manœuvre, if skilfully carried out, might prove successful. I told Refet Pasha that I thought his idea, though ingenious, was far-fetched, and that I could not share his apprehensions, though I admitted that Greece might conceivably nourish the idea of a revenge and would undoubtedly profit from any mistake that the Turks might make, notably by not signing peace.

6. I made some reference to Refet Pasha's own military preparations in Eastern Thrace. His reply was characteristic. "If," he said, "I admit that I have been organising the Turkish forces in Thrace, you will accuse me of a breach of the Mudania Convention. If I deny it, you will not believe me and will moreover think me a fool. I will therefore say nothing at all."

7. Generally speaking, Refet Pasha appeared to me to have lost touch with events. He seemed ill-informed and more inclined to be reminiscent of the military part which he played against the British in Palestine during the great war and of what he described as his praiseworthy share in preserving peace by his diplomatic efforts during his period of power here after the Mudania Convention.

I have, &c.
NEVILE HENDERSON,
Acting High Commissioner.

[E 2191/1/44] No. 357.

Mr. Henderson to the Marquess Curzon of Kedleston.—(Received February 26.)

(No. 113 A.)
My Lord, *Constantinople, February 18, 1923.*

I HAVE little to add to the account of my conversation with Ismet Pasha which I had the honour to report in my telegram No. 90 of the 17th instant.

2. Generally speaking, I was impressed by his obvious anxiety to receive British advice as to the best course to pursue, by his evident desire for a peaceable solution and the absence of any reference to a resumption of hostilities as the result of failure, by his repeated insistence on the willingness of France and Italy to make yet further concessions and by the unfeigned tone of respect with which he spoke of your Lordship.

3. He made no attempt to explain why he had not signed the treaty at Lausanne, though he produced one obviously set speech describing the objectionable features for Turkey of the treaty itself. He laid stress in particular on the explanatory note to Annex I in regard to the payment in gold of the interest on the Public Debt. Ismet Pasha described the decision as to whether payments should be made in paper, francs or sterling as a question in the first case of the prosperity, in the second of the existence or in the third of the ruin, of Turkey.

4. He asked me why His Majesty's Government refused to agree to exclude the economic section from the treaty for settlement after more considered discussion. I pointed out the objections to such a course. He did not appear to me to be particularly insistent upon it himself, and seemed to attribute the failure to agree upon these clauses to the fact that no Turkish expert had assisted in their drafting and his own consequent inability to grasp their exact meaning. He asserted, however, that in this respect there would be little difficulty in finding a solution, and that a fortnight should suffice in all for a new conference to settle everything that was outstanding.

5. Ismet Pasha also raised general objections to the convention respecting the régime applicable to foreigners in Turkey as distinct from the judicial system to the declaration, respecting which he said he had adhered. I told him that I was unable to express any opinion on what had been settled subsequent to your Lordship's departure from Lausanne, and that, from what I had seen of the article in the treaty respecting the status of foreigners in Turkey, they seemed to constitute the absolute minimum of what was compatible not only with Allied, but also with Turkish, interests, inasmuch as any lesser guarantees would effectively exclude from Turkey all the better class of foreigners and that solid financial assistance, of both of which she was so much in need. Ismet Pasha closed the discussion on that point by the usual grievance against the unwillingness of the Allies to treat Turkey in such matters on the same footing of equality as other countries, such as Greece.

6. As reported in my telegram No. 91, I received the same evening a private note from Adnan Bey enumerating various points in regard to which Ismet sought an assurance of your Lordship's support with a view to final solution. As Ismet had asserted with considerable confidence to me in conversation that, provided he could receive an assurance of your goodwill in respect of the outstanding questions, he counted on being able to induce the Grand National Assembly to agree to everything that he had already accepted, it may be assumed that his idea is to return to the conference with liberty to rediscuss the points mentioned in Adnan's letter to me. I had hoped to

see the latter before Sir Horace Rumbold's return, but as I had no opportunity of doing so I thought it inadvisable to allow any doubt to subsist as to the possible intentions of His Majesty's Government. I accordingly wrote to Adnan Bey, privately, on the following day and told him that though I had telegraphed Ismet's request to your Lordship, it was, in my opinion, useless to expect any assurance in regard to these points, since His Majesty's Government considered that they had already conceded as much as was compatible with Allied interests. I added that the High Commissioner was returning on the following day, and that, in an unofficial capacity, and inspired as I was, and as he knew me to be, with the most friendly sentiments for new Turkey, my sincere advice was to sign the treaty while it was still offered to her and before public opinion abroad took alarm at the immense concessions which had been made.

7. There is one other point to which I did not refer in my telegrams, but which is of interest. Ismet Pasha denied that he had ever made an offer of separate peace with Great Britain. I said that I was without any definite information on the subject, though your Lordship had distinctly referred in public on your return to England to such offers. I do not know Ismet Pasha's reason for raising this topic. It may have been for the edification of Adnan Bey, who was present, or more probably in connection with something that General Pellé, whose interview preceded mine, may have said to him.

8. I told Ismet that I trusted that the Grand National Assembly would discuss the treaty as a whole and not piecemeal. If the latter course was adopted the debates might drag on endlessly and the forest be lost sight of for the trees. Ismet Pasha assured me that he would not allow this. On the other hand, I understand from General Pellé that, in conversation with him, he distinctly contemplated a detailed examination of the different articles by the Assembly.

9. I derived a distinct impression from Ismet's language to me that the French and Italian High Commissioners had held out a prospect of further modifications of the treaty. But I also derived the impression that it was your view which alone counted for Ismet. I am convinced, however, that so long as the French and Italian limit has not been reached, Angora will not agree to sign the treaty. It would appear that France and Italy have already unfortunately committed themselves further than His Majesty's Government are prepared to go.

I have, &c.
NEVILE HENDERSON,
Acting High Commissioner.

[E 2194/16/44] No. 358.

Mr. Henderson to the Marquess Curzon of Kedleston.—(*Received February* 26.)

(No. 116.)

HIS Majesty's representative at Constantinople presents his compliments to His Majesty's Secretary of State for Foreign Affairs, and has the honour to transmit herewith copy of two despatches from the acting consul-general, Smyrna, reporting on an interview with Mustafa Kemal Pasha.

Constantinople, February 20, 1923.

Enclosure 1 in No. 358.

Acting Consul-General Urquhart to Mr. Henderson.

(No. 21.)

Sir, *Smyrna, February* 4, 1923.

I HAVE the honour to report that, following on the arrival of Mustafa Kemal Pasha in this place, it occurred to me that I might use his presence here to secure that steps be taken to remedy the deplorable condition of the British church at Bournabat. I decided to ask the Rev. L. Le Bouvier to accompany, who is a British subject, but who, as pastor to the Dutch community, has had his church treated in the same manner as the British one. He is also correspondent to the "Times," and I felt sure that if only we could reach Kemal, he would be compelled to grant my requests or else have his attitude publicly known. I decided to state expressly that I had no intention of discussing commercial or political matters.

2. I accordingly requested the favour of an interview on Sunday, the 28th January, and Kemal sent a messenger to say he would receive us on Thursday, the 1st February. Before that day, however, the meeting was postponed until the following Saturday. We visited his house on Saturday at the hour named and found him absent. I do not doubt that he was intentionally treating me rudely.

I have, &c.
R. W. URQUHART.

Enclosure 2 in No. 358.

Acting Consul-General Urquhart to Mr. Henderson.

(No. 26.)

Sir, *Smyrna, February* 14, 1923.

I HAVE the honour to refer to my despatch No. 21 and to my telegram No. 13 of the 12th instant, and to report more fully on my interview with Mustafa Kemal Pasha.

2. The arrival of Kemal in Smyrna on the 26th January had placed me in a difficult position, because I had gathered beforehand that my French and Italian colleagues intended to call on him, and in point of fact they did so, as also did the Dutch and American representatives. I felt that my absence would be matter for comment, but did not consider that British relations with Turkey and Turkish hostility at the time, on account of the Mosul controversy, justified me in paying a purely friendly call. I accordingly decided to approach Kemal on a non-political matter of some urgency, namely, the desecrated British church at Bournabat, feeling that, at worst, he could only refuse to see me.

3. As already reported, however, I had not succeeded in seeing him before his departure to Balikesri, and had decided to make absolutely no further move in the matter. During his absence H.M.S. "Curaçoa" had entered Smyrna in defiance of the orders already reported to you prohibiting the entry or stay of vessels of over 1,000 tons, and Kemal's behaviour on his return on the 11th instant is a valuable indication of the manner in which this demonstration was received. Within two hours of his arrival he had despatched a messenger, who, not finding me about 10 P.M., awaited me at the consulate on the following morning to express Kemal's regret that an unfortunate misunderstanding had prevented him from receiving me before his departure, and stating his willingness to do so that afternoon.

4. I accordingly visited him on the afternoon of the 12th instant. He began by excusing himself again for not having received me before, and said it was due to a misunderstanding. This explanation I readily accepted, saying that I had indeed already arrived at it myself, feeling that any other would be very unjust to him. I then said that the matter I was anxious to discuss with him was entirely non-political and non-commercial, yet one of great importance to us both—a matter of common public decency. I endeavoured to place the desecration of Bournabat Church in its proper setting, enquiring whether the Turkish victory over the Greeks was sufficient cause why the excellent record of Turkey for religious toleration should be broken, and suggesting that even if Britain and Turkey were to find themselves at war, Turkey had no need to fight by such methods; but in any case, we were not at war, and I hoped that when the British community returned they would have no cause to reproach him with the state of their church. Kemal appeared to be impressed, made notes, and promised that the church should be put in good condition. He then showed a desire to go on to other topics, and talked for some time on the general situation. I felt it safer to make very little comment on his remarks. He said he regretted the delay in concluding peace, for he saw no fundamental reasons why Britain and Turkey should not be at peace; but naturally the peace must be such as would ensure the absolute independence of Turkey. He suggested that France was the stumbling-block to peace, but as I was aware that he had previously suggested to others that Britain was the cause of the delay, I referred to the hostility shown to us in the local press recently and said that I had gathered from it that there was little to choose between France and Britain in this respect. He repeated, however, that France is now the cause of the delay, and stated most emphatically that Turkey will not accept the maintenance of the Capitulations. He was anxious to show that Turkey never really had been allowed a fair chance to develop owing to the Capitulations and the evil government of selfish persons. Turkey must have her chance now. I ventured to

remark that Britain's past record did not indicate that she would ever be found on the side of the oppressors of any nation in its legitimate development, and suggested that there was less danger of an unjust peace than he seemed to fear. In any case, I said, if his country had the necessary spirit and determination for progress, no Power could possibly restrain it from rising to great heights of prosperity. I was sure, however, that no one desired anything for Turkey but progress. The interview thereupon ended, to the apparent satisfaction of both parties.

5. Kemal gave an interview immediately afterwards to the Rev. L. Le Bouvier, correspondent of the "Times," and, from what he said, he appears to think that the British nation will not go to war on any account, and that the Government does not represent its desires in this connection. The Turks are apparently under the impression that no danger of war exists; that accordingly they can bargain with the Allies indefinitely without risk to themselves. They clearly do not wish for war with all the Allies united against them, but they would be willing, I think, to come to an understanding with either France or Britain on one set of questions and risk a rupture with one of them on the other set of questions, believing that one of these Powers will not alone commence hostilities against Turkey. At the present moment the inclination is towards an accommodation with Britain. I can therefore conceive of no demonstration happier in its results than the Allied refusal to obey the orders recently given to foreign men-of-war in this port, followed by a clear indication of British readiness to use force if the Turkish demands were persisted in. The results are that the Turks must give up their hopes of separating Britain from France and at the same time realise that the legend that Britain cannot go to war in any circumstances has no truth, for they clearly understand that they could have had hostilities on the morning of the 8th instant had they so desired. This realisation threw the local authorities into something like consternation, and doubtless has had considerable effect on Angora too. It probably will do much in the direction of the conclusion of peace.

I have, &c.
R. W. CRQUHART.

E 2202/35/44] No. 359.

Mr. Hodgson to the Marquess Curzon of Kedleston.—(Received February 26.)

(No. 122.)
My Lord, *Moscow, February 20, 1923.*

THE estrangement between the Soviet Government and Angora resulting from the Lausanne Conference has found expression not only in remarks made by M. Chicherin in interviews accorded by him to journalists, but in numerous allusions in the Russian press. Though leading articles have effectually obscured the issue and described Lausanne as a fiasco *for* the *Entente*, private observations of M. Litvinof and others reveal a very different attitude towards the outcome of the conference. It is admitted in Government circles that the solidarity between Soviet Russia and Angora has not withstood the strain put upon it that the Angoran delegation paid heed to M. Chicherin's advice only when it suited its convenience, and that Great Britain has, in fact, been successful on the points of essential importance to her leaving others to be settled later, probably, as suggested by M. Litvinof, with Turkish delegates in the conciliatory atmosphere induced by the amenities of residence at the "Carlton."

Recent press utterances have given full play to the irritation felt at the Turkish desertion. They have taken the form of violent tirades against the Angora Government for its persecution of Russian Communists. The extract transmitted herewith is from an appeal by the Third International published throughout the press on the 14th instant; a number of other articles in the same strain have appeared in different organs, while on the 17th a deputation of forty persons, representing a number of Moscow factories visited the Turkish Embassy to convey to Ahmed Moukhtar Bey the indignation felt by the Russian workers at Turkey's action in "fighting its own revolutionary peasants and workers instead of the imperialistic robbers."

I have, &c.
R. M. HODGSON.

Enclosure in No. 359.

Appeal of the Communist International to the Revolutionary Proletariats and Peasants of the Whole World.

GREETINGS to the arrested Turkish Communists!

The National Government of Angora is on a dangerous path leading to isolation from the sole true friends of struggling Turkey—from the world revolutionary proletariat and the Communist International.

In Turkey the trade unions are being broken up and the workers' organisations are being persecuted. The Turkish Communist Party has been shattered. The arrested Communists are being handed over to a special court. They are accused of high treason. The Angora Government threatens them with the severest punishments. As a price for the persecution of the revolutionary workers and peasants the Turkish Government hopes to secure for itself at Lausanne the sympathy and good graces of the *Entente* robbers.

The Communist International, which is the incarnation of the will and strength of the leading proletariats, and peasants of the whole world, in their name addresses an energetic warning to the Angora Government. Do not enter upon the path of Poincaré and Mussolini. The world imperialists still exist. Your fight is far from finished. Without the support of the international proletariat you cannot hold out in this fight.

The Communist International appeals to the revolutionary proletariats of all countries—and, in the first place, of England, France, Russia and Switzerland—to address a warning to the representatives in those countries of the National Government of Angora.

Greetings to the Turkish Communists thrown into the prisons of Angora.

No. 360.

Sir H. Rumbold to the Marquess Curzon of Kedleston.—(Received February 26.)

(No. 118.)
(Telegraphic.) R. *Constantinople, February 25, 1923.*

MY telegram No. 104.

I see some reason to hope that, despite clamours of extremists, moderate counsels will prevail at Angora and that Assembly will be brought to endorse all that Ismet definitely agreed to at Lausanne. Even moderates, however, are unlikely to accept outright whole of draft treaty, even as modified by Allied offer of 3rd February and 4th February. This may necessitate some further discussion of formula concerning régime for foreigners. Græco-Turkish indemnity clause, small number of financial clauses and economic section generally.

I will telegraph considered view regarding régime for foreigners to-morrow.

I agree that difficulty about Græco-Turkish indemnity is mainly one of drafting.

If Turks insist strongly about any or all of the three clauses in financial section to which Turks still take exception, I presume your Lordship's attitude will depend largely on that of French.

Turkish feeling about economic section is strong. Though unreasonable, it is partly due to genuine alarm at complicated nature and far-reaching appearance of clauses. I fear that any procedure for rediscussion in detail either here or at Lausanne would entail considerable delay. Signature of treaty would thereby be held up and we should meanwhile be at the mercy, not only of possible incidents, but of continued activities of extremists, who do not want peace.

Assuming that Turks make capital point of this question, it occurs to me that possible solution might be to meet them on question of reservation of whole economic section for separate negotiations after conclusion of peace by offering to substitute in treaty much shorter chapter providing for such negotiations, but laying down principles on which they should be based, and providing that any points on which agreement cannot be reached within stated time should be referred to arbitration. This procedure would have certain advantages from our own point of view. There would, of course, be difficulty in agreeing on statement of principles, but it should be much smaller than difficulty of agreeing on details of large number of disputed clauses.

I need hardly say I do not suggest that this course should be followed unless events should prove absolute necessity of giving Turks more satisfaction than was offered on 4th February. My idea is that in that case we should give them what would be in many ways satisfaction of form rather than of substance in shape which would at once gratify their *amour-propre*, and would be difficult for them to refuse.

I have prepared tentative draft of chapter which might be substituted in contingency foreshadowed above. It is rather long to telegraph unless absolutely necessary. I will forward it by next bag.

No. 361.

Sir H. Rumbold to the Marquess Curzon of Kedleston.—(Received February 26.)

(No. 119.)
(Telegraphic.) D. *Constantinople, February* 26, 1923.

COLONEL MOUGIN has telegraphed to French High Commissioner to say that he gathers from what he describes as moderate members of Turkish delegation to Lausanne Conference, that Turks will not take initiative in suggesting renewal of discussions. Turks in question considered that secretary-general of conference should convoke members of conference for discussion of matters left in dispute when conference adjourned, and that he should settle order of the day. Colonel Mougin's informants thought that this procedure would prevent a change in composition of Turkish delegation, and would enable that delegation to get away from Angora atmosphere. Colonel Mougin added that Ismet was in favour of above-mentioned procedure.

French High Commissioner emphasised fact that this was in no sense an official communication from Angora Government, and quite recognised difficulties of and objections to suggested procedure.

No. 362

Sir H. Rumbold to the Marquess Curzon of Kedleston.—(Received February 26.)

(No. 120.)
(Telegraphic.) *Constantinople, February* 26, 1923.

YOUR despatch No. 121 of 19th February: A comparison of Allied and Turkish draft declarations relating to judicial safeguards for foreigners in Turkey.

I agree generally with view of Eastern Department, subject to following observations. References are to paragraphs of Allied draft of 3rd February.

Paragraph 3. Limitation to neutrals though undesirable might be accepted; but we might make this and any other eventual concessions grounds for asking that conditions of service and salaries should be fixed in agreement with Permanent Court of International Justice. This would materially increase chance of getting really capable men.

Paragraph 4. I attach some importance to retention of "Minister of Justice" (not Ministry) at beginning and "competent Turkish authorities" at the end. These points are not of capital importance, but first would enhance authority of counsellors and second would enable them to deal direct as of right with such officers as public prosecutors.

From British point of view limitation to Constantinople and Smyrna might be admitted. I much prefer our proposal to define areas by reference to jurisdiction of court of appeal, but would agree to Turkish expression "cities" provided it is made clear in further discussion or otherwise that it covers suburbs in which foreigners habitually reside. Municipal area under prefecture of city would suffice in Constantinople. I must take advice regarding Smyrna.

Other Turkish alterations in paragraph 4 might be accepted, though we should hang on as long as possible to clause empowering counsellors to require representative of State to institute judicial proceedings when necessary to secure redress.

Paragraph 5. I entirely agree that this is the crux of the whole matter, that Montagna formula is practically valueless and that we should not yield unless issue of peace or war should depend on it, in which case matter would be determined by considerations beyond my competence.

Paragraph 6. Turkish formula is illusory, but it is hard to defend Allied proposal regarding criminal as opposed to correctional cases and we can afford to acquiesce especially if we gain point regarding paragraph 5.

Turkish supplementary paragraph. I do not think that we should ask Turks to drop this as we should thereby incur suspicion of wishing to continue whole system. From tactical point of view I should prefer suggested redrafting to make it clear that clause about arbitral decisions, which is important, and, if possible, clause about release on bail (maintenance of which is, however, less important), should continue in force indefinitely.

Departmental minute exaggerates in my opinion contrast between economic nature of our interest and more generally nature of French and Italian interests. We have missionary schools and professional men, besides poor, but respectable, Maltese colonists engaged in all sorts of avocations. All three allies are in the same boat, though magnitude of their respective interests is proportional to size of respective colonies.

I fear that Mr. Lindsey's suggestion regarding special European police would have no chance of acceptance. Apart from many other objections in Turkish eyes it would look like continuance of Allied police system. I will forward by bag revised draft embodying above suggestions.

No. 363.

Sir H. Rumbold to the Marquess Curzon of Kedleston.—(Received February 26.)

(No. 121.)
(Telegraphic.) D. *Constantinople, February* 26, 1923.

YOUR telegram No. 52.

Allied railway control have formed sub-commission with a view to making inventory and valuation of "R." rolling-stock. Work will be completed in about a fortnight. Commission consider, and I agree, that discussion cannot usefully take place till after valuation is completed.

"R.M." stock, if not sold before conclusion of peace, could always be garaged west of Maritza.

No. 364.

The Marquess Curzon of Kedleston to Sir R. Graham (Rome).

(No. 59.)
(Telegraphic.) D. *Foreign Office, February* 26, 1923.

YOUR telegram No. 43 of 24th February: Italy and resumption of negotiations with Turkey.

I welcome Italian Government's general agreement as to procedure and points to be rediscussed. I am not satisfied, however, that Italian Government quite realise my position with regard to latter.

Ismet only proposed at the last meeting on 4th February omission from clause regarding Græco-Turk reparation article of all mention of Greek claims against Turkey. On behalf of Allies, I stated that we might be willing to consider this, subject to Greek delegation's assent. This has not yet been obtained, and seems unlikely to be forthcoming to article in the wording as finally proposed by Ismet. Some change will probably be required.

Signor Montagna had no authority from His Majesty's Government at any rate to propose or agree to any changes in Allied draft declaration of 3rd February regarding judicial safeguards for foreigners, nor was my departure from Lausanne, which had been announced four days earlier, dependent upon receipt of any such modification. His Majesty's Government must therefore retain full liberty of action on the subject, not even having seen Signor Montagna's formula till a fortnight later, when it failed to meet with their approval. Turks have therefore no justification for regarding the matter as settled.

Further, His Majesty's Government never assented to omission of all economic clauses from treaty. Such a procedure might render it difficult for Allies to

negotiate later with Turks some articles of essential importance to them. His Majesty's Government in particular are not prepared to omit articles 71, 72 to 81, 89, 90 94, 100, 102 to 107, 108 to 111, and some items in articles 112 and 113. As rediscussion of some points seems bound to take place, and some time must elapse before treaty is ready for signature, it would seem preferable to settle economic clauses in the treaty itself. This seems also to be the view of French Government, since they propose, whilst accepting suggested omission of whole of economic clauses from general treaty, that revised clauses to be negotiated in their place should be signed simultaneously with general treaty—a method which in practice is indistinguishable from simple revision of the clauses in general treaty. Exact method, however, to be applied must be dependent on reply of the Turks, and may be reserved for further discussion.

Outstanding questions appear too important to be dealt with only by a small technical commission at Lausanne or elsewhere. I would prefer, however, to suspend final decision as to place for resumption of negotiations until I learn views of French Government, and in particular of Turkish Government. I agree that any communication respecting peace terms from latter to secretary-general should be answered through the same channel.

Please inform Italian Government in the above sense.

(Repeated to Constantinople, No. 59, and Paris, No. 92 (by bag).)

[E 1936/1/44] No. 365.

The Marquess Curzon of Kedleston to the Marquess of Crewe (Paris).

(No 683.)

My Lord, *Foreign Office, February 26, 1923.*

THE note from the Président du Conseil dated the 17th February and enclosed in your despatch No. 407 of the 18th February, regarding M. Poincaré's intervention at Constantinople during the final stages of the Lausanne Conference, appears to me to consist in the main of a series of misstatements and misrepresentations which could without any difficulty be refuted or contradicted at each point.

2. I am, however, unwilling to continue a controversy on such lines. The facts of the case are well known to everyone who was present at Lausanne, and they admit of only one interpretation.

I am, &c.

CURZON OF KEDLESTON.

[E 2217/1/44] No. 366.

The Marquess of Crewe to the Marquess Curzon of Kedleston.—(Received February 27.)

(No. 482.)

My Lord, *Paris, February 26, 1923.*

AS instructed in your Lordship's despatch No. 527 of the 14th February, and as reported in my telegram No. 206 of the 17th February, I communicated to the President of the Council your Lordship's reply to M. Poincaré's views on the matter of the engagement of the 4th September, 1914, not to conclude a separate peace and the bearing of that pact upon any separate negotiations with Turkey.

I have the honour to forward a copy of a note of the 22nd February containing M. Poincaré's answer.

You will observe that M. Poincaré, while refuting the contention that, in his note of the 30th ultimo, he desired to convey to your Lordship the official intention of France to separate herself from her Allies, declares that, after the renewal of hostilities between the Greeks and Turks, he cannot consider that the peace which remains to be established in the Near East should be governed by the Franco-British Agreement of 1911.

After developing his argument, M. Poincaré terminates the note by declaring that, if the brotherhood between the two countries has been able, little by little, to transform

their co-operation into a really practical alliance, the French Government is the first to rejoice, and it hopes that such a sure guarantee of European peace will continue to be increased and strengthened.

The conclusion of M. Poincaré's communication is at all events satisfactory.

I have, &c.

CREWE.

Enclosure in No. 366.

M. Poincaré to the Marquess of Crewe.

Ministère des Affaires étrangères, Paris, le 22 février 1923.

M. l'Ambassadeur,

LA dépêche que Lord Curzon a adressée à votre Excellence le 14 février courant et dont elle a bien voulu me laisser copie n'a pas manqué de retenir ma sérieuse considération. Elle prête à ma communication du 30 janvier dernier des propos que celle-ci ne contient pas et une portée qui, heureusement, n'est pas conforme à la réalité.

En premier lieu, son Excellence le Secrétaire d'État de Sa Majesté a cru voir dans ma communication la proclamation officielle de l'intention de la France de se séparer de ses Alliés en violation de l'accord du 4 septembre 1914.

Je me permets de penser qu'une lecture plus attentive de ma communication du 30 janvier dernier convaincra facilement son Excellence Lord Curzon qu'aucune proclamation semblable n'a trouvé place dans les observations que j'ai cru devoir adresser à votre Excellence. Un tel propos eût été aussi loin de ma pensée que de celle de la nation française et du Gouvernement de la République.

Je prends la liberté de faire remarquer, une fois de plus, à votre Excellence que c'est elle qui, d'ordre de Lord Curzon, m'a rappelé, le 27 janvier, cet accord du 4 septembre 1914, à un moment où je n'avais pas plus qu'aujourd'hui la moindre idée de négocier avec les Turcs une paix séparée. Très surpris de cette démarche, que rien, à mes yeux, ne justifiait, je vous ai répondu en réservant, à toutes fins utiles, la liberté de la France. Je ne puis, en effet, considérer qu'après la reprise des hostilités entre les Grecs et les Turcs la paix qu'il s'agit maintenant d'établir soit encore régie par l'accord de 1914. Lord Curzon lui-même a déclaré à Lausanne, avec beaucoup de raison, que les Turcs, battus dans la grande guerre, avaient été ensuite vainqueurs des Grecs. La situation est totalement modifiée par ce fait incontestable. Je prends volontiers acte des déclarations de Lord Curzon à propos de ses rapports avec le Gouvernement grec. Je veux même bien admettre, par hypothèse, que la Grèce n'ait pas été encouragée par le précédent Cabinet britannique. Il n'en est pas moins vrai qu'il y a eu, contre la volonté de la France, reprise des hostilités et qu'on se trouve, par conséquent, en dehors des prévisions de l'accord du 4 septembre 1914. Cet accord dont l'initiative n'avait pas été prise par l'Angleterre, mais par le Gouvernement de la République, ne constituait pas, du reste, l'alliance. L'alliance était antérieure et s'était déjà affirmée sur les champs de bataille.

D'autre part, j'avais, par ma communication du 30 janvier, attiré l'attention de votre Excellence sur la situation qui résulterait d'une impossibilité matérielle de conclure, comme le prévoyait la déclaration du 4 septembre 1914, un traité collectif de paix avec la Turquie. Quelle serait, en effet, en pareil cas, la position respective des Puissances signataires de cette déclaration ?

Le Gouvernement de la République croit partager le sentiment du Gouvernement de Sa Majesté en considérant que le rétablissement de l'état de paix en Orient et la reprise des relations pacifiques avec la Turquie sont, en dehors de tout intérêt particulier de l'une ou de l'autre des Puissances alliées, une nécessité urgente pour le bien-être commun et la sécurité de toutes les nations, non seulement de l'Europe, mais du monde entier.

Par leur déclaration du 4 septembre 1914, ni la France, ni, j'en suis convaincu, la Grande-Bretagne n'ont poursuivi des fins particulières et intéressées: la coopération de leurs armées n'a eu d'autre objet que d'éviter à l'Europe une hégémonie contraire à la liberté des nations et d'assurer à celles-ci une paix juste et équitable pour tous. C'est dans cet esprit que s'est formée, en fait, l'alliance que son Excellence le Secrétaire d'État veut bien rappeler dans des termes que je n'ai pas manqué d'apprécier et on considération du laquelle a été pris par avance, dès 1914, l'engagement de ne pas conclure de paix séparée au cours de la guerre. J'ose dire que nul plus que moi n'est attaché à cette alliance. Je crois avoir efficacement travaillé à resserrer l'entente des

1912, en inspirant, à cette époque, l'échange de lettres où Sir Edward Grey et M. Paul Cambon ont diplomatiquement consacré la valeur de nos conventions militaires. Mes sentiments n'ont pas varié, de les attester publiquement lorsque j'ai rendu visite à Sa Majesté le Roi de Grande-Bretagne et d'Irlande et, en 1914, avant la guerre, lorsque Sa Majesté le Roi est venu en France. L'alliance était tout aussi intime à cette époque qu'elle l'a été depuis et elle s'est manifestée au mois d'août 1914, lorsque l'Angleterre a déclaré la guerre à l'Allemagne, qui avait attaqué la France. C'est donc une grave inexactitude historique que de prétendre que l'alliance date de l'accord du 4 septembre 1914. Cet accord a été une conséquence, et non une cause, de l'entente.

Si, malgré les efforts communs développés sincèrement et en toute loyauté par le Gouvernement de la République comme par le Gouvernement de Sa Majesté, les faits démontraient qu'il est aujourd'hui impossible d'exécuter cet engagement, il ne serait sans doute pas plus dans les intentions du Gouvernement de Sa Majesté qu'il n'est dans celles du Gouvernement de la République de perpétuer en Orient un état de trouble aussi dangereux que nuisible à toutes les nations, et il ne serait nullement besoin, pour y mettre fin, de porter atteinte à l'alliance qui, heureusement, unit le peuple français et le peuple britannique.

En pareil cas, comme dans tous les cas analogues, où l'exécution d'un engagement international devient matériellement irréalisable, l'engagement de ne pas conclure de paix séparée deviendrait caduc et on ne voit pas de motifs pour que cette caducité, imposée par les faits et non par la volonté des signataires, dût avoir pour conséquence nécessaire la dénonciation de l'alliance, dont elle a été seulement une des manifestations. En revanche, l'existence et le maintien de cette alliance devraient, dans l'opinion du Gouvernement de la République, conduire les Cabinets alliés à s'informer préalablement de la conduite qu'ils comptaient tenir et à se mettre réciproquement au courant de leurs négociations pour rétablir la paix. C'est précisément ce que j'ai pris la liberté d'exposer à votre Excellence comme devant être, en pareille hypothèse, la conduite du Gouvernement de la République, qui n'y serait d'ailleurs que la simple manifestation de sa fidélité à l'esprit et au but de son alliance.

Aussi bien, votre Excellence peut assurer le Gouvernement de Sa Majesté que, si la confraternité des deux nations pendant cette dure période de leur histoire a peu à peu transformé leur coopération pour en faire résulter pratiquement l'alliance que son Excellence Lord Curzon a le légitime souci de maintenir intacte, le Gouvernement de la République est le premier à s'en féliciter, et il forme le vœu de voir se perpétuer une si sûre garantie de la paix européenne.

Veuillez, &c.
R. POINCARÉ.

No. 367

Sir H. Dering to the Marquess Curzon of Kedleston.—(Received February 27.)

(No. 45.)
(Telegraphic.) *Bucharest, February 26, 1923.*

JOURNALIST named Brown, formerly "Times" correspondent here during the war, arrived this morning from Angora. He gave Minister for Foreign Affairs information based on personal observations contained in my immediately following telegram.

Correspondent declares that Mustafa Kemal will endeavour to win over great portion of Centre party, which would secure majority vote in favour of peace. Failing this, as he has at Angora 30,000 troops loyal to him, he would dissolve Assembly with their assistance and then obtain peaceful decision.

Much Russian gold has been distributed to members of Left group, who have been bought by Bolsheviks. Correspondent states that it is notorious that cases arrive daily from Russia bringing more gold for Soviet representatives.

Personal impression of journalist is that peace will be accepted by Angora Government.

He is now employed by American paper and reported all his observations to Admiral Bristol at Constantinople, who stated that he would inform other High Commissioners. He returns in four days to Angora after visiting sick Roumanian wife. He is of Jewish origin, probably Polish or German, formerly named Braun

(Repeated to Constantinople.)

No. 368.

Sir H. Dering to the Marquess Curzon of Kedleston.—(Received February 27.)

(No. 46.)
(Telegraphic.) R. *Bucharest, February 26, 1923.*

MY immediately preceding telegram.

Mustafa Kemal and Ismet Pasha control party of Right in Assembly numbering 110. They desire to accept all Lausanne stipulations except method of appointment of judges, who, they insist, should be appointed by Turkish Government.

Ali Bey leads Centre party, in number about 150. These demand alterations in economic clauses and probably respecting Straits and Mosul.

Left Extremist party number 65 under leadership of Feyzi Pasha, Chief of the General Staff. All are strongly against signature of any peace.

(Repeated to Constantinople.)

No. 369.

Sir H. Rumbold to the Marquess Curzon of Kedleston.—(Received February 27.)

(No. 122.)
(Telegraphic.) *Constantinople, February 27, 1923.*

SIR H. DERING'S telegrams Nos. 45 and 46.

Brown is correspondent of Chicago "Daily News" in Constantinople and has never been to Angora. His wife is an American. His information is obtained from agents, whom he pays according to what he considers reliable information.

He is well known at this High Commission, where he is always ready to impart any information he obtains. Before leaving for Bucharest he communicated information in Bucharest telegram No. 46, though giving somewhat lower figure for number of Extremist party and without mentioning Ali Bey, of whom I have never heard. Figures are in any case misleading, as it is improbable that much more than 250 Deputies are actually at present at Angora for discussion of treaty.

Rumour reported in first paragraph of telegram No. 45 in regard to Cromwellian intentions of Kemal is one that has more than once been spread abroad here, but I attach very little credence to it. The same might be said of stories respecting daily shipments of Russian gold, though doubtless Soviet Government is making final effort to suborn Grand National Assembly.

(Repeated to Bucharest, No. 5.)

No. 370

The Marquess Curzon of Kedleston to Sir R. Graham (Rome).

(No. 61.)
(Telegraphic.) D. *Foreign Office, February 27, 1923.*

MY telegram No. 54 of 20th February: Resumption of negotiations with Turkey.

French Embassy now inform us that French Government share our views regarding both economic clauses and judicial declaration, namely that proposal to separate economic clauses from treaty for further negotiation after signature of latter and concessions proposed by Signor Montagna regarding judicial declaration were made with a view to secure immediate signature of peace at Lausanne, and that Allies are not bound by either proposal in altered circumstances of to-day.

(Addressed to Rome, No. 61; repeated to Constantinople, No. 60, and Paris, No. 94 (by bag).)

No. 371.

The Marquess Curzon of Kedleston to the Marquess of Crewe (Paris).

(No. 95.) [By Bag.]
(Telegraphic.) *Foreign Office, February 27, 1923*

TURKISH outposts in Syria.

Turks are reported to have established posts in Syrian territory on right bank of Tigris, below Jazirat-bin-Umar.

Please enquire.

No. 372

Sir H. Rumbold to the Marquess Curzon of Kedleston.—(Received February 28.)

(No. 123.)
(Telegraphic.) *Constantinople, February 28, 1923.*

TWO Turkish papers published yesterday morning telegrams from Angora accusing myself and Mr. Ryan by name of standing in the way of peace nothwithstanding conciliatory attitude of French on outstanding questions. Similar matter was deleted from other papers by censorship, but accusations which appeared were reproduced fully in French inspired organ yesterday afternoon; and Turkish evening paper had fresh telegram which, though otherwise censored, contains words "while Lord Curzon proclaims this" (what "this" means does not appear, as immediately preceding sentence is deleted) "Messrs. Rumbold and Ryan are working to make peace unrealisable."

Although authors of this sudden campaign are attempting now to saddle British delegation, and more particularly myself, with responsibility for difficulty over economic and financial clauses, I have no doubt that real immediate cause is communication reported in my telegram No. 113. Nothing could show more clearly necessity for that communication, as Turks would otherwise certainly have accused your Lordship of having been favourable to M. Montagna's proceedings and then gone back on him. Incidentally, it shows how much harm has been done by M. Montagna's vagaries and by French flabbiness in regard to questions which specially interest them and on which we have shown utmost solidarity.

For the rest I do not think incident need be taken too seriously. There is certainly no reason why it should deflect His Majesty's Government from their course. It is yet another manifestation of constant Turkish tendency to represent Allies as disunited and even to represent British as divided amongst themselves I shall continue to do my best to counteract efforts in latter direction. Meanwhile I have addressed strong protest to Adnan and written remonstrance to French High Commissioner. The latter has sent me a written expression of regret and states that editor of French paper will be censured.

No. 372A.

Sir H. Rumbold to the Marquess Curzon of Kedleston.—(Received February 28.)

(No. 124.)
(Telegraphic.) *Constantinople, February, 28, 1923*

MY telegrams Nos. 111 and 112.

Things are going more slowly at Angora than was anticipated last week.

Council of Ministers, instead of laying proposals before Assembly on 24th February, only did so on 27th February. Delay appears to have been due to difficulty in reducing Government proposals to final form and to proceedings in committees of Assembly, support of which Government probably wish to secure beforehand.

It is now stated that Government proposal has taken the form of counter draft of whole treaty. It does not appear whether this differs from our draft in points other than those left outstanding at Lausanne, but in any case this procedure entails risk of excited and disunited Deputies reopening all sorts of questions.

It looks as though proceedings in Assembly would be more protracted than I expected. I doubt whether any decision will be taken before end of this week, and we may have to wait even longer. Extremist paper, "Yeni Gyun," yesterday spoke of war as more probable than peace. Utterances from that source must be discounted, but general outlook is rather less encouraging than it was a few days ago.

No. 373.

The Marquess of Crewe to the Marquess Curzon of Kedleston.—(Received February 28.)

(No. 242.)
(Telegraphic.) *Paris, February 28, 1923.*

YOUR telegram No. 57 to Constantinople.

I learn on good authority that French Government are annoyed at decision taken by His Majesty's Government to withdraw extra warship from Smyrna without previously consulting them, and that they will show their displeasure by immediately withdrawing only French vessel from Smyrna.

No. 374.

The Marquess Curzon of Kedleston to Sir H. Rumbold (Constantinople).

(No. 62.)
(Telegraphic.) R. *Foreign Office, February 28, 1923.*

YOUR telegram No. 116 of 25th February: Captured British airmen.

Please ask Adnan to express to Ismet my personal thanks for his successful intervention, and to the Angora Government the appreciation of His Majesty's Government of this sign of confidence.

No. 375.

The Marquess Curzon of Kedleston to Sir H. Rumbold (Constantinople).

(No. 63.)
(Telegraphic.) *Foreign Office, February 28, 1923.*

IS retention of a vessel for possible evacuation of British colony still really essential? Cannot we rely on chartering in case of necessity? Negotiations may conceivably drag on for weeks, and risk of danger to British subjects appears extremely remote. I believe no other colony retains vessel.

No. 376.

Sir H. Rumbold to the Marquess Curzon of Kedleston.—(Received March 1.)

(No. 125.)
(Telegraphic.) *Constantinople, February 28, 1923.*

(R.) MY telegram No. 123.

Adnan called this morning in connection with attacks in press on myself. He was visibly greatly disturbed by my letter of protest on the subject. He attributed publication of these attacks to defects in working of Turkish censorship, and said that on receipt of my letter he had himself censored various messages from Angora, with result that this morning the press contained no further allusions to myself. I told him frankly that attacks were as senseless as they were objectionable, and were a poor return for my frankness towards Government of Angora. I obliged him to admit that I had been perfectly straight with him on the subject of declaration regarding judicial régime for foreigners.

He explained that my original communication had greatly upset Angora Government, and had shaken Ismet's position at a critical moment. I replied that Ismet's position would have been still more shaken had we remained silent, thereby

allowing it to be supposed that His Majesty's Government had accepted Montagna formula, and had then undeceived Ismet at a later stage. Adnan agreed that this would have been so. He said that Ismet had informed Angora Government, on strength of statements made to him by MM. Bompard and Montagna, that Allies had agreed not only to Montagna's formula, but also to taking whole economic section out of treaty and reserving it for subsequent discussion. Adnan enquired what was exact position of British delegation in view of these statements of MM. Bompard and Montagna.

I replied that as regards British delegation, position with regard to treaty was as it was left at end of final meeting in your room on 4th February, and that His Majesty's Government was in no way committed by what had passed subsequently between MM. Bompard and Montagna and Turkish delegation.

Adnan pointed out that this misunderstanding had complicated Ismet's task at Angora, and enquired whether His Majesty's Government could not do something to help to smooth over matters. I disclaimed all responsibility for this misunderstanding, and said that next movement lay with Angora Government. Adnan said that local French press, and utterances of individual Frenchmen, concurred in stating French were willing to reserve whole economic section of treaty for further discussion. Was that official French view? I had meanwhile received your telegram No. 61 to Rome, but as I did not wish to be drawn into discussion of French or Italian attitude with regard to treaty I merely replied that I could only speak for my own Government. (End of R.)

Whilst I have no doubt that Ismet is genuinely perturbed by discovering that MM. Bompard and Montagna had no authority to speak for British delegation, I suspect that Adnan Bey and Angora Government are making the most of this business to try to get us to come into line with the French, at all events in regard to reservation for subsequent discussion of economic section of treaty. Adnan ended up by saying it was very regrettable that there had been eleventh hour discussion between French, Italians and Turks after departure of British delegation. I consider MM. Bompard and Montagna's final activities have indeed been most unfortunate, and have risked seriously compromising discussions at Angora. I understood Adnan to say that matters had been going smoothly at Angora until occurrence of above incident. In any event, consideration of Grand National Assembly would take some little time.

No. 377.

Sir H. Rumbold to the Marquess Curzon of Kedleston.—(Received March 1.)

(No. 128.)
(Telegraphic.) *Constantinople, March 1, 1923.*

I LEARN from a secret source that Ismet Pasha, in a speech made on his return to Angora at a secret session of Assembly, warmly recommended adoption of draft treaty, of which he and his colleagues felt justly proud, and which he was confident would, after a few mutual concessions and minor sacrifices, be accepted by Turkish people with contentment.

Same source states that intention of Angora Government is to accept articles agreed, whilst keeping economic and financial clauses outside body of treaty for separate examination, and demand further concessions on remaining points outstanding.

Situation in Assembly is described as [group omitted] and chaotic.

No. 378.

Sir H. Rumbold to the Marquess Curzon of Kedleston.—(Received March 1.)

(No. 129.)
(Telegraphic.) *Constantinople, March 1, 1923.*

(R.) MY telegram No. 125.

Adnan again called this morning to deliver personal message from Ismet expressing regret at attacks on myself and Mr. Ryan, and saying he too was being violently attacked in Angora.

There has been no renewal of attacks. "Tanin" had leader which, while still suggesting that British policy might be obstacle to peace, deprecated attacks on individuals whose task it was to carry out instructions.

I have sent message of thanks to Ismet and expressed sympathy with him in his difficulties. This incident may now be regarded as satisfactorily closed. (End of R.)

My communication regarding judicial formula has served to clear the air and leaves His Majesty's Government free hand in any further discussion. Turks are still exploiting in sense unfavourable to us hasty French expression of readiness to reserve financial and economic clauses. French have got themselves into this mess and may well be left to get out of it.

[E 2217/1/44] No. 379.

The Marquess Curzon of Kedleston to the Marquess of Crewe (Paris).

(No. 751.)
My Lord, *Foreign Office, March 1, 1923.*

WITH reference to your Excellency's despatch No. 482 of the 26th February, I have to request that you will inform the Président du Conseil that I have carefully considered his note of the 22nd February regarding the present validity of the pact of the 5th September, 1914, and that I find it impossible to accept his argument that the resumption of hostilities between Greece and Turkey in Asia Minor brought that agreement to an end, in spite of the fact that one of the enemies of France and Great Britain in the world war has not yet concluded peace with them. As, however, M. Poincaré must have fully weighed the possible consequences of his grave decision and the arguments with which I have already endeavoured to controvert it, it seems useless to continue this correspondence, and His Majesty's Government must reserve to themselves the right to take such decisions and such action as the new situation arising from M. Poincaré's statement may render necessary in the future.

2. Your Excellency should at the same time express to M. Poincaré the confident hope of His Majesty's Government that the friendship of the two peoples and, in particular, their co-operation in settling the affairs of the Near East may continue.

I am, &c.
CURZON OF KEDLESTON.

[E 2358/1/44] No. 380.

Note by Sir Eyre Crowe.

THE French Ambassador spoke to me this morning on the subject of the resumption of the negotiations which had been broken off at Lausanne. M. Poincaré, he said, remained strongly of opinion that the negotiations should be taken up again, not at Constantinople—as we had suggested—but at Lausanne, and this, principally, because he feared that the Turks would look upon the transfer of the seat of the negotiations to Constantinople as indicative of our willingness to start an entirely fresh discussion; whereas, if the sittings at Lausanne were resumed, it would be manifest to the whole world that there could be no question of reopening what the Lausanne Conference had already settled. M. Poincaré added that the Italian Government seemed to share this view, and he hoped that we would not insist upon transferring the negotiations to Constantinople. I said that I could not attach serious importance to the considerations advanced by M. Poincaré. His Majesty's Government were as much determined as their allies to restrict the further discussions to the few points left outstanding when the Lausanne Conference broke up; and we had made this perfectly plain to the Angora Government, and could not, therefore, see how the position could be affected by allowing the discussion on the three points still open to take place at Constantinople. I also understood that this course was convenient to the Turks themselves, who, on their part, feared that the resumption of discussions at Lausanne was meant to prelude Allied demands for further concessions. But in any case, I said, a good deal would depend on the actual reply which the Angora Government was returning, and I suggested that it was not necessary at this stage to insist on a definite solution on the point of procedure and method.

The Ambassador replied that M. Poincaré, on the other hand, considered it desirable to utilise the interval, during which Angora was still debating, in order to establish an understanding between the Allies on a common programme. He did not suggest that the plenipotentiaries themselves should return to Lausanne, except when the moment of signature arrived, but he agreed with the Italian view that further discussions with the Turks should be entrusted to a number of technical experts, who might assemble at Lausanne as soon as the Turkish reply was received, and he begged that His Majesty's Government would at least not refuse the suggestion without further consideration.

As regards the substance of what was to be discussed, M. Poincaré entirely shared our view that it should be restricted to the three points we had indicated, viz.: (1) the question of Turko-Greek reparations; (2) judicial régime; and (3) revision of the economic clauses. The French Government wished us to understand clearly that they did not consider themselves bound now either by Signor Montagna's eleventh-hour proposals on the subject of the capitulations or by the offer made by M. Bompard at Lausanne to let the whole of the economic clauses stand over for future negotiations That proposal had been made as an inducement to Ismet Pasha to sign the treaty there and then. Ismet Pasha having refused the proposal, it lapsed. The Ambassador understood that a suggestion had been made to let the economic clauses be taken out of the general treaty and be relegated in a revised and amended form to a separate agreement, such agreement to be signed simultaneously with the general treaty. He was under the impression that this was a British proposal, and I had to explain that it was not we who had mooted it, but that it had been brought to our notice informally. On his pressing me as to whether we should be willing to accept it, I said I, personally, saw no strong objection to its adoption if it were found to facilitate matters with the Turks; but, except for that reason, I could see no particular virtue in it.

The Ambassador then referred to the recent withdrawal of some of our ships from Smyrna, and expressed regret that we had not given the French Government the opportunity of associating themselves with the communication on the subject, which we had made to the Angora Government. The French Government feared that the result of our having made the notification alone was producing on the Angora Government the impression that the Allies were not acting in solidarity as regards the question of ships at Smyrna, which seemed very regrettable. I told the Ambassador that this apprehension was quite unfounded. As the French Government no doubt knew—for our High Commissioner at Constantinople had been instructed fully to explain the matter to his French colleague—we made it quite clear to the Turks that we absolutely maintained the principle of the Allies' right to send their ships to Smyrna; and this had, in fact, been fully understood and accepted by them. But it was absurd to suppose that, because we replaced one British ship in Smyrna harbour by another, this could possibly be interpreted as a want of solidarity between the Allies. The Ambassador did not pursue the matter any further.

E. A. C.

Foreign Office, March 1, 1923.

[E 2357/6/44] No. 381.

Memorandum communicated by Greek Legation.—(Received in Foreign Office, March 2.)

THE Greek Government has on several occasions had the opportunity of informing the Great Powers of the concentration of troops and the transport of munitions which the Turkish Government commenced in Eastern Thrace only a few days after the signature of the Armistice of Mudania.

The military preparations of Turkey have since only increased. It is thus that only two months ago the Turkish Government proclaimed in Eastern Thrace the mobilisation of the classes between 18 and 45 years of age. The only object of this violation of the Convention of Mudania was obviously an attempt on the part of the Turks to intimidate Greece and oblige her to accept the very hard conditions of peace which were presented to her at Lausanne and eventually to undertake military operations against her.

Concentrations of Turkish troops and the transport of munitions in Eastern Thrace have continued after the breakdown of the Lausanne Conference with the same intensity

as previously. Moreover, the mobilisation of the inhabitants of that province has even comprised railway employees.

The Greek Government has no doubt that such military preparations are being carried out without the knowledge of the Great Powers, who have by their signature guaranteed the faithful execution of the Convention of Mudania.

The considerable extensiveness of the coast of Eastern Thrace naturally involves that certain of these transports of Turkish troops might escape the vigilance of the Allied warships.

Desirous of facilitating the Great Powers in the heavy task assumed by them of ensuring the observance of the Convention of Mudania, the Greek Government have the honour to declare that they are ready to place the Greek fleet under the orders of the Allied admirals in order that it might immediately assume the guardianship of the coasts of the Sea of Marmora and of the Black Sea in conjunction with the squadrons of the Allied fleets.

In making this offer the Greek Government feel persuaded that in the aforesaid manner it will be possible to prevent further transports of munitions and troops, thus avoiding military operations which, it is feared, Turkey will certainly undertake against Greece as soon as her military preparations are completed.

The Greek Government feel convinced in making this offer that the general desire for peace is only strengthened thereby, for it is solely by persuading Turkey that she cannot attempt to disturb peace in the Balkans that the latter will finally decide to accept the proposals of peace made by the Allies.

Greek Legation, London,
February 28, 1923.

No. 382.

Mr. Rumbold to the Marquess Curzon of Kedleston.—(Received March 2.)

(No. 75.)
(Telegraphic.) R. *Athens, March 1, 1923.*

DELEGATE of International Red Cross called to-day to inform my French and Italian colleagues and me that as Turks are expelling Greeks from Pontus Greek Government have refused to continue exchange of prisoners, and transport which was about to start from Piræus has been held up.

Turkish delegate has protested to us through Netherlands Legation. Greek press maintain that action of Turks is violation of agreement for exchange of populations. As I understand present arrangement was for exchange of about 4,000 Turkish civilian prisoners against about 200 Greek civilians, it is obviously in Turkish interests to see it through, and I gather privately that Greeks are not sorry of this excuse to denounce one-sided bargain.

I have discussed the matter with my two colleagues, and we do not feel able to do anything beyond informing our respective Governments.

(Repeated to Constantinople.)

No. 383

Sir H. Rumbold to the Marquess Curzon of Kedleston.—(Received March 2.)

(No. 131)
(Telegraphic.) *Constantinople, March 2, 1923.*

ATHENS telegram No. 75

Action of Greek Government, which has to-day received wide publicity in Turkish press, appears to me fraught with danger at present juncture. They have been on weak ground as regards civil hostages ever since October, and if they now go back on only binding agreement signed at Lausanne, they may easily imperil chances of peace. In my opinion they should be strongly urged to carry out agreement regarding civil hostages and exchange of prisoners without further delay.

Resentment of Greeks at Turkish attitude regarding Pontus Greeks is justified. It is, however, difficult to prove that Greeks are actually being forced to leave, as many desire to fly, and methods employed by Turks to get rid of others

take the form of indirect pressure. Exchange of Populations Agreement cannot unfortunately be invoked as legally binding instrument owing to attitude of Greek delegates themselves in insisting that it should not be ratified independently of Peace Treaty.

I have done, and will continue to do, all I can to induce Turks to act towards Greeks of interior in accordance with spirit of Exchange of Populations Agreement, but if Turks continue to misbehave in this respect, Greek Government should consider other forms of reprisal, and should not put themselves in the wrong by failure to discharge their perfectly definite obligations in regard to civil hostages and prisoners of war

(Repeated to Athens, No. 20.)

No. 384

Sir H. Rumbold to the Marquess Curzon of Kedleston.—(Received March 3.)

(No. 132.)
(Telegraphic.) R. *Constantinople, March 2, 1923.*

MY telegram No. 124.

Mustafa Kemal delivered long speech in Grand National Assembly yesterday on the occasion of beginning of financial year.

This public sitting interrupted series of secret sittings to consider Peace Treaty, which were to be resumed to-day. Mustafa Kemal's speech was, however, guarded, but was certainly not pacific, and there is a note of menace in certain passages.

Versions telegraphed here vary considerably in details. My telegram No. 133 gives summary of principal points based on comparison with six different versions.

Speech is said to have been well received, and passage about military preparations on Arab front was loudly applauded.

Concluding portion is evidently aimed at party in Angora which openly criticises policy of separation of Sultanate from Caliphate. Kemal was so angry with author of pamphlet on this subject that he endeavoured to have parliamentary immunity suspended in order that he should be prosecuted. Assembly rejected this, and Opposition secured, instead, passage of law on immunity of person and domicile.

As this law, though forced on Government, will doubtless be exploited in any further discussion of judicial régime for foreigners I am sending summary in my telegram No. 134.

There appear to be upwards of 260 Deputies now in Angora.

Ali Fuad Pasha, nominee of defence of rights group (Mustafa Kemal's organisation), was elected Vice-President of Assembly yesterday. Same group's candidate for one of the Deputy Vice-Presidencies was defeated. Political situation appears to be chaotic, and decision of Assembly is impossible to forecast.

No. 385

Sir H. Rumbold to the Marquess Curzon of Kedleston.—(Received March 3.)

(No. 133.)
(Telegraphic.) R. *Constantinople, March 2, 1923.*

LAST year had witnessed defeat of Greeks, but political fruits of victory had not yet been reaped. Coming year might equally well be year of peace or war. If war were necessary it would be conducted on tried and practical lines. In the event of peace all efforts would be directed to necessary reorganisation of the country. Last year all expenditure, including that of army, had been met without outside borrowing. Expenditure this year would depend on whether it was peace or war, but the same rule would be observed.

Turkey's foreign policy was pacific. After great victory she had agreed to armistice, and had gone to Lausanne. Conference there had produced no result. Turkey had the right, which could not injure other nations, to full administrative, economic and financial independence. Recognition of this right would suffice to ensure peace. If the Allies persisted in not recognising her right to independence, nation would face the consequences, whatever they might be, with calmness and resolution.

Turkey's desire was to conciliate her relations with sister peoples of Afghanistan and Persia. She aimed at strengthening her cordial relations with Russia, developing economic relations and concluding consular and commercial negotiations in accordance with Treaty of Moscow. Relations of good neighbour, based on Kars Treaty, existed with Caucasian States. Turkey had no differences with Balkan States. She was ready to enter into relations with other friendly European countries. Army organisation was above all praise. On Arab front necessary disposition had been taken to ensure south-eastern frontier in accordance with National Pact. Army was well supplied. It owed great debt to efforts of every element in country. Naval forces had done wonders with few miserable ships.

Turkey was stronger than in the past. She owed this to National Pact and to assertion of unrestricted national sovereignty. As regards latter, new system was for all time. Those who had dared to surrender country to foreign enemies had derived courage to do so from internal enemy consisting in personal sovereign. Opponents of national sovereignty would be treated as traitors and repressed. Let all bow before the will of the nation.

No. 386.

Sir H. Rumbold to the Marquess Curzon of Kedleston.—(Received March 2.)

(No. 134.)
(Telegraphic.) R. *Constantinople, March 2, 1923.*

ARTICLE 1 provides penalty of one to three years' imprisonment, dismissal, and liability to damages for all officials who arrest or imprison persons without legal warrant, engage in deportations or unlawful restriction of freedom to travel, violation of domicile or unlawful infringement of rights of property; hand over any person to court not having jurisdiction over him; or in any way violate personal liberty or natural or civil rights of citizens contrary to constitutional and other laws. Same penalty applies to persons abetting such offences.

Article 2 binds public prosecutors to prosecute offenders of whatever rank before ordinary courts of their own initiative under penalty of three months' to three years' imprisonment and permanent dismissal. Same penalty applies to persons refusing to execute orders given by public prosecutors in pursuance of law.

Article 3 cancels all laws and regulations contrary to present law.

No. 387.

The Marquess Curzon of Kedleston to Sir H. Rumbold (Constantinople).

(No. 66.)
(Telegraphic.) R. *Foreign Office, March 2, 1923.*

YOUR telegram No. 125 of 28th February: Conversation with Adnan Bey regarding Lausanne Treaty.

Your language and attitude are approved.

Please telegraph if and when your French colleague receives instructions in sense of my telegram No. 61 to Rome, and keep both your French and Italian colleagues informed of the substance of such conversations with Adnan.

No. 388.

The Marquess of Crewe to the Marquess Curzon of Kedleston. (Received March 3.)

(No. 255.) By Bag.
(Telegraphic.) *Paris, March 2, 1923.*

M. JEAN HERBETTE comments in this evening's "Temps" on Signor Mussolini's speech yesterday (text goes to your Lordship by bag to-night).

M. Herbette approves Signor Mussolini's suggestions in regard to Peace Treaty with Turkey, and deprecates idea that Turks should be informed that they will not

be given Karagatch, which is inseparable from Adrianople. M. Herbette goes so far as to suggest that peace negotiations should be resumed at Smyrna. He declares with reference to the French Ambassador's interview yesterday with Sir Eyre Crowe, at which it was decided that, in view of Turkey's alarming attitude, the Allies would oppose a united front to her, that news received in Paris from Constantinople and Angora show that there is no particular cause for alarm. This sudden pessimism did not harmonise with optimism which your Lordship had displayed in your recent speech; and, as to united front of the Allies, it was in regard to Germany that that was really necessary.

No. 389.

Sir H. Rumbold to the Marquess Curzon of Kedleston.—(*Received March* 3.)

(No. 135.)
(Telegraphic.) *Constantinople, March* 3, 1923.

YOUR telegram No. 63.

Consul-general and naval transport officer consider retention still essential, and I agree that it is desirable to keep ship until we know nature of Angora answer.

If this is reasonably favourable, I shall at once do my best to make other arrangements.

No. 390

The Marquess Curzon of Kedleston to Sir H. Rumbold (*Constantinople*).

(No. 68.)
(Telegraphic.) D. *Foreign Office, March* 3, 1923.

MY telegram No. 61 to Rome of 27th February: French Government and resumption of negotiations with Turkey.

French Ambassador, on instructions from M. Poincaré, now informs me that while French Government entirely agree that only points to be rediscussed with Turkey are the three outstanding at the end of the meeting on 4th February, they share the Italian Government's preference for Lausanne instead of Constantinople, because Turks will think that change of meeting place will be tantamount to new conference and will leave them free to reopen other points than the three. Count Saint-Aulaire was informed that we believed Constantinople was more convenient for the Turks, who feared resumption of discussions at Lausanne might prelude Allied demands for more concessions by Turkey. In any case we saw no advantage in pressing for solution at this stage on point of procedure and method.

French Ambassador insisted that M. Poincaré wished to settle this point now and urged consideration by His Majesty's Government. On receipt of Turkish reply only technical experts would need to meet at Lausanne, plenipotentiaries attending later for signature.

Count Saint-Aulaire also referred to suggestion to remove economic clauses from the general treaty and relegate them, as revised, to a separate agreement to be signed simultaneously with general treaty. He alleged this proposal to be British. It was explained that it was not our suggestion, but that we saw no strong objection to it if it would persuade Turks to sign. Otherwise it seemed to possess no special merit.

Please let me have your views on both these points.

I remain opposed to Lausanne: in the main because (1) you are our main expert and cannot again be spared from Constantinople; (2) it would be unwise to start a fresh discussion with fresh representatives; (3) reassembling at Lausanne suggests that a new stage of the former conference has begun, admitting of all the old tricks and delays. Moreover, I have more than once laid down that conference should only meet again at Lausanne in order to sign.

(Repeated to Rome, No. 65, and Paris, No. 102 (by bag).)

No. 391

Sir H. Rumbold to the Marquess Curzon of Kedleston.—(*Received March* 4.)

(No. 137.)
(Telegraphic.) R. *Constantinople, March* 4, 1923

NEITHER French High Commissioner nor I have any confirmation of death of Arabof, Soviet representative at Angora, which has been reported in the press. His name has no doubt been confused with that of Abilof, Azerbaijan representative at Angora, who recently died at Smyrna as a result of a fall whilst under the influence of drink.

No. 392

Sir H. Rumbold to the Marquess Curzon of Kedleston.—(*Received March* 4.)

(No. 139.)
(Telegraphic.) D. *Constantinople, March* 4, 1923.

YOUR telegram No. 66.

French Government have acquainted French High Commissioner with their views regarding economic clauses and judicial declaration as recorded in your telegram No. 61 to Rome, but have not given him any instructions. French High Commissioner has asked for instructions.

He tells me that he informed Ismet on his own initiative, when latter passed through Constantinople, that in altered circumstances Allies might not consider themselves bound by thirteenth-hour concessions proposed to Turks at Lausanne.

No. 393

Sir H. Rumbold to the Marquess Curzon of Kedleston.—(*Received March* 4.)

(No. 140.)
(Telegraphic.) R. *Constantinople, March* 4, 1923

MY telegram No. 132.

Reference to military preparations on Mosul front is rather less menacing as given in full report of speech. It reads as follows:

"In view of possibility of recourse to arms in order to secure south-eastern frontier of country in accordance with National Pact, necessary military dispositions have been taken on Arab front."

Great bulk of speech was devoted to past progress and future desiderata in internal policy. This is perhaps hopeful sign, as passages given in first reports sound more formidable when read apart from this larger context.

[E 2430/6/44] No. 394.

Mr. Bentinck to the Marquess Curzon of Kedleston.—(*Received March* 5.)

(No. 133.)
My Lord, *Vienna, February* 22, 1923.

WITH reference to my despatch No. 103 of the 12th instant and to my telegrams Nos. 66, 67 and 70 of the 13th, 17th and 19th instant, I have the honour to report that the situation remains expectant and strained. Last week General Pangalos suddenly arrived in Athens, where he had important meetings with the Cabinet. A British intelligence officer from Constantinople was invited to dinner on the 16th instant with Colonel Plastiras, whom he had known quite well formerly, when the colonel was with the troops in Asia Minor. To his surprise General Pangalos and Captain Hadjikyriakos, the Commander-in-chief of the navy, were present to meet him. Later in the evening various members of the Cabinet arrived, with the object apparently of

having a Cabinet Council after the departure of my informant. In the course of conversation at table General Pangalos, in the presence of the other two, assured my informant emphatically that the Greeks had no intention of advancing or acting in any way independently of England. What they wanted most was war, side by side with England. If this could not take place they must have peace immediately. General Pangalos said that there was a third alternative, namely, for the Greek fleet to advance up the Dardanelles and, in co-operation with the Greek army, take Constantinople, whilst His Majesty's Government adopted an attitude of benevolent neutrality. It would, however, have to be made quite clear to the Greeks beforehand that this neutrality would really be a benevolent one, so that no mistakes could be made such as had been made in Asia Minor. The most deplorable thing would, they said, of course be a continuation of the present situation of armed neutrality. In present conditions they could hold out for a month and a half; after that the new financial measures would not suffice. Further taxes would be necessary, and this the people would not stand. They impressed upon my informant what has been given prominence of late in the press, namely, that, in order to obtain peace, Greece had given up Eastern Thrace. The Allies had, however, not obtained peace, and if they could not now assure it for Greece she would consider herself free to retake Eastern Thrace. I asked my informant what his impression was as to the relative power of General Pangalos and of Colonel Plastiras—a subject which is frequently discussed. He said that it was quite evident to him that General Pangalos was the ruling factor. This, I may here mention, the latter himself told the King was the case. Whether, however, in the event of a breach between the two, the army would ever consent to support General Pangalos against their popular hero, Colonel Plastiras, is considered to be doubtful.

2. On the 17th instant the Minister for Foreign Affairs, in conversation with the German Minister, assured the latter positively that Greece would not act without the approval of the Allies, and that there was no danger of General Pangalos's acting on his own initiative contrary to the orders of the Government. Colonel Plastiras, in conversation with the above-mentioned British officer, told him that the real reason for all the warlike talk in Greece was with the object of restoring the *moral* of the army. This, he said, could only be done if the army were continually confronted with the probability of a speedy resumption of hostilities. On his way to Athens from Salonica General Pangalos met an English lady in the train, with whom he got into conversation. He appeared most anxious to know what English people thought of him. The lady, however, could not enlighten him because she had never heard of him before. He remarked to her in the course of conversation that he was convinced that war in the spring was inevitable.

3. A new editor, M. Lambrides, has recently been appointed to the "Patris." He was formerly on their staff, but, I believe, went to Constantinople after the 1920 elections. His newspaper—a rather extreme Venizelist organ—appears now to have become the mouthpiece of the Revolutionary Government. On the 18th instant it published a statement to the effect that in ten days' time the situation would take a definite change. In spite of Greece's desire for peace, she could not wait in suspense beyond that date. The same newspaper stated yesterday that, if the Allies were disposed to grant to Turkey a fresh delay in order to allow her to make complete preparations, Greece had no intention of permitting the process economically not of seeing Turkey transporting her army into Thrace. The "Eleftheron Vima" stated yesterday that, as soon as it was clear that Turkey was endeavouring to continue for ever the differences between herself and the Allies, Greece would demand authority to settle alone her differences with Turkey, and would even go so far as to conclude a separate peace.

4. Meanwhile, reports continue to reach me of warlike preparations. Great activity appears to be shown in connection with the fleet. The British agent of the Ford Company informs me that the Government have opened up credits and given orders for a quantity of Ford spare parts and for 3,000 hospital beds. Other reports of a similar nature reach me from other sources. As I have already had the honour to point out on more than one occasion, the present situation of uncertainty is exasperating for Greece which is being steadily ruined.

5. I am forwarding a copy of this despatch to Constantinople.

I have, &c.
C. H. BENTINCK.

[E 2413/1/44] No. 395.

Sir H. Rumbold to the Marquess Curzon of Kedleston.—(Received March 5.)

(No. 130.)
My Lord, *Constantinople, February 27, 1923.*

I HAVE the honour to transmit herewith the tentative draft of a possible substitute for the present economic clauses of the proposed Peace Treaty, to which I referred in the last paragraph of my telegram No. 118 of the 25th February.

2. I have lost no opportunity since my return of emphasising the fact that practically the whole of the economic section of the draft treaty relates to the restoration and readaptation of existing rights, and that it is absurd to represent it as an attempt on the part of the Allies to fetter Turkey's economic future. I have also pointed out that, in defending the economic clauses, His Majesty's Government are not merely acting in a spirit of solidarity with their Allies, greatly as that consideration weighs with them, but are upholding legitimate and important British interests.

3. While extremists have an interest in wilfully ignoring and misrepresenting the true facts, I feel that a certain body of Turkish opinion, otherwise favourable to peace, is honestly alarmed by the clauses as they stand. To take a single instance, apprehension is expressed lest, by committing themselves to acceptance of the acts of the Constantinople Government, the new rulers of Turkey might find themselves bound, under the arrangements come to between Tewfik Pasha's Government and the Italians, to recognise extensive concessions promised, or, as some suspect, actually accorded to the latter.

4. If the relatively moderate elements who desire peace win the day at Angora, they will probably find it necessary to renew the endeavour made by Ismet Pasha to have the economic clauses reserved, partly owing to the genuine apprehension which I have described, partly in order to save the face of the Turkish delegation. It is in anticipation of this probability that I have ventured to outline a scheme whereby the clauses might be reserved without running the evident risk of leaving all acquired rights at the mercy of protracted and perhaps inconclusive future negotiations.

5. It is obvious that the course foreshadowed in my telegram should not be taken unless there is a definite prospect of the Turks accepting what Ismet Pasha agreed to at Lausanne. If the extremists should induce the Grand National Assembly to go back on him in regard to such matters as the Straits, Mosul, Kara Agatch or other great political questions, the economic clauses would once more take a secondary place, and no attempt to meet the Turks over these clauses would suffice to ensure peace.

6. It is equally obvious that the enclosed draft would require very careful scrutiny by experts. In preparing it, I have sought to cover, so far as it can be done in a statement of general principles, the points which those present at the inter-departmental meeting held at the Foreign Office on the 6th February considered of special importance from the British point of view. More, however, may be required in order to ensure that no important British interest shall be jeopardised by the reservation of the details of the economic clauses for later discussion. Thus it may be necessary to make explicit provision for such matters as those dealt with in articles 75 and 87 of the draft treaty to do more than is done in the enclosed draft to ensure Turkish adhesion to the conventions, &c., enumerated in article 113, and to tie Turkey more closely in other directions.

7. I realise that there will be no little difficulty in obtaining agreement on such a statement of principles as I have in mind. For that reason it would have to be as short and as simply worded as is consistent with safety. I have, for instance, enclosed in brackets the last portion of clause 2 (ii) in the draft, as the Turks would be very loath to agree to independent revision of judgments given by their courts during the war period, and I doubt whether the British interest involved is sufficient to justify insistence.

I have, &c.
HORACE RUMBOLD,
High Commissioner.

Enclosure in No. 395.

Tentative Formula to replace Economic Clauses of Treaty.

WITH a view to safeguard the acquired rights of Allied nationals having economic interests in Turkey and of Turkish nationals having economic interests in the territories of the other contracting Powers, the high contracting parties will, as soon as, possible, and not later than one month from the coming into force of the present treaty, enter into negotiations for the conclusion of an agreement to determine the manner in which such acquired rights shall be restored or adapted to the new conditions produced by the events which have occurred since the 1st August, 1914.

2. In drawing up the said agreement the parties will be guided by the following general principles:

(1.) The agreement will make provision for replacing Allied nationals in Turkey and Turkish nationals in the territories of the other contracting Powers in full and unencumbered possession of property rights and interests of which they have been dispossessed since the 1st August, 1914, but which still exist or can be identified. It will provide for the assessment of the value of such property rights and interests in cases in which they no longer exist or cannot be identified. Claims of Allied nationals against the Turkish Government dating from before the 1st August, 1914, will be left to form the subject of separate negotiations between the Governments of the claimants and the Turkish Government. The benefit of all arrangements embodied in the agreement regarding the property rights and interests dealt with under this heading will be extended to companies in which Allied or Turkish nationals respectively have a preponderating interest.

(2.) The agreement will determine to what extent contracts concluded previously between persons who became enemies as a result of the outbreak of war shall be maintained, cancelled or annulled. It will provide for such prolongation of all periods of prescription or limitation of right of action including periods for the presentation of interest coupons, and periods connected with the presentation, acceptance, protesting and suchlike of negotiable instruments, as may be necessary to preserve the rights of the parties from the effect of the interruption of normal relations resulting from the war. (It will provide a remedy for any cases in which judgments have been given against enemy subjects between the 1st August, 1914, and the coming into force of the present treaty, and in which it can be shown that the parties affected by such judgments have been prejudiced by the action of the Government of the other party.)

(3.) The agreement will provide for the revision or readaptation to the new conditions of contracts and conventions relative to concessions existing before the 29th October, 1914, in all cases in which the normal exploitation of such concessions has been interfered with as a result of events which have occurred since the outbreak of war. It will safeguard the rights of persons or companies who acquired definite rights in respect of concessions before the 29th October, 1914, even though the formalities relative thereto have not been completed owing to the outbreak of war. It will confirm any arrangements already made between the persons or companies concerned and the Imperial Ottoman Government for the revision or readaptation of concessions existing before the 29th October, 1914. The benefits assured to Allied and Turkish nationals by any arrangements made under this heading will be extended to companies in which Allied or Turkish nationals respectively have a preponderating interest.

(4.) The agreement will establish on an equitable basis the currency in which debts (other than the Ottoman Public Debt) between the Allied Governments or their nationals and the Turkish Government or its nationals in respect of transactions prior to the 29th October, 1914, shall be paid, regard being had to the prejudice caused to the parties by the undue depreciation of currency since that date.

(5.) The agreement will provide for the maintenance or restoration of rights of industrial, artistic and literary property acquired by the nationals of the parties prior to the 29th October, 1914, and for the confirmation of any such rights newly acquired in a regular manner since the 30th October, 1918.

(6.) The agreement will provide for the creation of mixed arbitral tribunals to adjudicate on any disputes which may arise regarding the application of the stipulations of the agreement in particular cases.

3. The high contracting parties agree to take no action calculated to prejudice the position of the persons or companies concerned pending the conclusion of the agreement contemplated in article 1. Should the agreement in question not be completed within four months of the coming into force of the present treaty, any questions on which it has not been possible to arrive at an agreement shall be referred for arbitration to the Council of the League of Nations.

4. (Reproduce article 112 of present draft treaty.)

5. Concurrently with the negotiation of the agreement contemplated in article 1, Turkey undertakes to discuss with the other contracting parties the question of her adhesion to or ratification of the conventions or agreements enumerated below. A schedule showing to which of these conventions or agreements she is prepared to adhere will be attached to the said agreement.

(Append list attached to article 113 of present draft treaty.)

6. (Reproduce article 116 of present draft treaty.)

[E 2416 199/44] No. 396.

Sir H. Rumbold to the Marquess Curzon of Kedleston.—(Received March 5.)

(No. 134.)

My Lord, *Constantinople, February 27, 1923.*

I TOOK advantage of a visit which Adnan Bey paid me on the 25th instant to ask him for his opinion as to whether Constantinople was likely to be the future capital of Turkey.

2. Adnan Bey replied that he thought not. He was not preoccupied with the question of the security of Constantinople from attack. The fact was that Anatolia had been sadly neglected by previous rulers of Turkey. It was absolutely necessary to develop Anatolia economically. For that reason it was essential that the seat of the Turkish Government should be in or near the territories it was intended to develop. He therefore expressed the personal opinion that the future capital of the Turkish State would be in Anatolia.

I have, &c.
HORACE RUMBOLD,
High Commissioner.

[E 2418/1/44] No. 397.

Sir H. Rumbold to the Marquess Curzon of Kedleston.—(Received March 5.)

(No. 136.)

My Lord, *Constantinople, February 27, 1923.*

WITH reference to my telegram No. 120 of the 26th February, I have the honour to transmit herewith a new draft declaration regarding the judicial safeguards for foreigners, embodying the views expressed in that telegram. This draft follows the Turkish counter-proposal of the 4th February as revised by M. Montagna on the following day, subject to differences the nature of and reasons for which are set out in my telegram. Some of these differences involve points which I do not consider of capital importance, but I do not think that anything less than what is contained in the enclosed draft should be put forward as the Allied case in the initial stages of any further discussion with the Turks.

2. If, however, your Lordship should prefer to limit the area of such further discussion to the utmost possible extent at the outset, I should be prepared to make two further modifications, namely, (*a*) to suppress in paragraph 4 the words "de requérir que des actions, appels ou pourvois en cassation ou revision soient introduits

par le Ministère public contre les actes ou décisions qu'ils ne jugeraient pas conformes au droit," and (*b*) to substitute for "régions comprises dans les circonscriptions judiciaires des Cours d'Appel de Constantinople et Smyrne" the words "dans les villes de Constantinople et Smyrne, y compris les districts dépendant des municipalités de ces villes et les endroits reliés avec ces villes par des services de banlieue, des sociétés de chemin de fer et de navigation."

3. As regards the first of these alterations, my expert advisers attach no great importance to the stipulation that the counsellors should have the right to require the Turkish authorities to institute proceedings, which in most cases the parties can take of their own initiative, and which, in exceptional cases, the higher Turkish authorities would be forced to institute if they had any real desire to remedy flagrant grievances. The second alteration I do not consider entirely satisfactory, as the expression "villes," even if qualified, may give rise to disputes. On the other hand, the jurisdiction of the Courts of Appeal is extensive, and the Turks are nervous lest their freedom of action should be hampered in comparatively remote country districts.

4. In suggesting that provision should be made for the fixation of the salaries of the counsellors by agreement between the Turkish Government and the Permanent Court of International Justice, I have been much influenced by the argument advanced locally that, without some such guarantee, there will be great danger of the Turks offering salaries so small that no competent or self-respecting European lawyer could accept the posts.

I have, &c.
HORACE RUMBOLD,
High Commissioner.

Enclosure in No. 397.

Projet de Déclaration.

LA délégation turque a déjà eu l'occasion de faire connaître que le Gouvernement de la grande Assemblée nationale de Turquie est en mesure d'assurer aux étrangers devant les tribunaux toutes les garanties d'une bonne justice et qu'il est à même d'y veiller dans le plein exercice de sa souveraineté et sans aucune intervention étrangère. Il n'en est pas moins disposé à faire procéder à des enquêtes et études pour introduire telles réformes que justifierait le progrès des mœurs et de la civilisation.

Dans cet esprit, la délégation turque tient à faire la déclaration suivante :

"Le Gouvernement turc se propose de prendre incessamment à son service, pour la période qu'il jugera nécessaire et qui ne sera pas inférieure à cinq années, des conseillers légistes européens qui seront choisis sur une liste dressée par la Cour permanente de Justice internationale de La Haye parmi les jurisconsultes ressortissants de pays n'ayant pas participé à la guerre de 1914–18 et qui seront des fonctionnaires turcs. Les conditions de service et le traitement de ces conseillers légistes seront fixés d'un commun accord entre le Gouvernement turc et la Cour permanente de Justice internationale.

"Ces conseillers légistes dépendront du Ministre de la Justice. Ils participeront aux travaux des commissions de réformes législatives et seront spécialement chargés de suivre dans les régions comprises dans les circonscriptions judiciaires des Cours d'Appel de Constantinople et de Smyrne le fonctionnement des juridictions civiles, commerciales et pénales turques, de requérir que des actions, appels ou pourvois en cassation ou revision soient introduits par le Ministère public contre les actes ou décisions qu'ils ne jugeraient pas conformes au droit, et de recevoir toutes plaintes auxquelles pourraient donner lieu soit l'administration de la justice civile, commerciale ou pénale, soit l'exécution des peines, soit l'application des lois, avec mission d'en rendre compte au Ministère de la Justice à l'effet d'assurer la stricte observation de la législation turque.

"Les visites domiciliaires, perquisitions ou arrestations, sauf dans le cas de flagrant délit, auxquelles les autorités turques dans les circonscriptions judiciaires ci-dessus mentionnées auraient à procéder dans les affaires ci-dessus visées seront pratiquées d'accord avec lesdits conseillers.

"Dans les matières correctionnelles, la mise en liberté sous caution devra toujours être prononcée, à moins que la sécurité publique n'en fût de ce fait compromise, ou que la mise en liberté provisoire n'entravât la bonne marche de l'instruction de l'affaire.

"Tous compromis et clauses compromissoires en matière civile ou commerciale sont permis et les décisions arbitrales ainsi rendues seront exécutées sur le visa du président du tribunal de première instance, qui ne pourra refuser son visa qu'au cas où la décision serait contraire à l'ordre public.

"La partie de la présente déclaration concernant les conseillers légistes et les fonctions qu'ils auront à exercer sera valable pour une durée de cinq ans, à moins que le Gouvernement turc ne juge nécessaire de prolonger la période de leur service."

No. 398.

Sir H. Rumbold to the Marquess Curzon of Kedleston.—(Received March 5.)

(No. 141.)
(Telegraphic.) *Constantinople, March 4, 1923.*

YOUR telegram No. 68.

I feel, like your Lordship, that question of future procedure cannot be satisfactorily settled at this stage, as much will depend on outcome of discussions now at Angora. Subject to this, my views are as follows:

I have felt all along that discussion of outstanding points at Constantinople, even if limited to specific questions, would entail risk of considerable delay. Apart from this, many objections formerly advanced against Constantinople when question of holding whole conference here was discussed retain their force in present connection. I do not think choice of Constantinople would attract Turks themselves, and I am impressed by French argument that it would appear to them to be tantamount to new conference.

Disadvantages of Constantinople as meeting-place are unfortunately now aggravated by recent Turkish onslaught on me, as Turks would pretend that I was responsible for every display of Allied firmness. This would not matter if French and Italians could be relied on to collaborate openly and loyally. As it is, they are unhappily only too capable of simultaneously sheltering behind us and misrepresenting us to the Turks. This would place me in invidious position, which would be indifferent to me personally, but which would react disadvantageously on negotiations.

Objection to French and Italian suggestion is not, in my opinion, that they want further discussions to take place at Lausanne, but that they want them to be conducted by technical experts only. To my mind it is essential that further discussion should not be confined to such experts, but that there should be sufficient diplomatic element to supervise proceedings and to facilitate inevitable bargaining when points in dispute have been reduced to definite number of issues, which it is impossible to settle individually by agreement amongst the experts.

Taking all these considerations and what little we know of probable Turkish attitude into account, I feel that the best prospect of successful issue would be afforded by (*a*) having definite understanding beforehand with Turks as to range of any further discussions, and (*b*) meeting at Lausanne of minimum number of technical experts and diplomatists to conduct these discussions.

If this procedure were followed I think that objection to last sentence of telegram under reply would be met by fact that there would still be no question of your Lordship returning to Lausanne except to sign treaty; and so long as there is no question of this I think we have more to gain than lose by holding Turks to fiction that Lausanne Conference is still in being, for it increases difficulty for them of going back on what Ismet agreed to

Your Lordship's second objection to Lausanne appears to me to apply with at least equal force to Constantinople.

If Turks want to put up fresh representatives, fact of further discussions being held in new place would make it easier for them to do so; while French would almost certainly employ different representatives here, where they have whole staff of officials, who were not sent to Lausanne, but who could not be left out of any negotiations in Constantinople.

As regards myself, I cannot obviously be in two places at once, and my only desire is to be where you think I can be of most use. I do not feel my personal

participation in discussion of questions at issue is so imperative as to make its possibility or otherwise determining factor. I presume that if argument in favour of Lausanne prevails, portion of Foreign Office staff which rendered such admirable services at conference would be available.

French suggestion that economic clauses should be embodied in separate agreement to be signed simultaneously with main treaty rests on complete misapprehension of Turkish attitude. What Turks want is to discuss these clauses after coming into force of treaty, when we should have hardly any means of bringing pressure on them. Practical alternatives appear to me to be to rediscuss in detail numerous clauses to which they object or to meet them on question of reservations by some such device as that outlined in my telegram No. 118. It is as immaterial to Turks as to us whether economic clauses form section of treaty or annex to it.

No. 399.

Sir H. Rumbold to the Marquess Curzon of Kedleston.—(*Received March* 5.)

(No. 142.)
(Telegraphic.) *Constantinople, March* 5, 1923.

YOUR telegram No. 67.

Consul-general, Smyrna, and I agree that it is desirable to relax as early as possible prohibition to return to Smyrna in the case of British subjects having serious business interests.

At the same time, it appears to me advisable not to do so until situation at Angora becomes clearer.

No. 400.

Sir H. Rumbold to the Marquess Curzon of Kedleston.—(*Received March* 6.)

(No. 144.)
(Telegraphic.) *Constantinople, March* 6, 1923.

MY telegram No. 139.

Local French organ and other papers have given great prominence to Havas telegram of 4th March, stating on authority of "Temps" that your Lordship has stated in the course of inter-Allied conversations that you did not agree with separation of economic clauses from draft treaty, or to Montagna judicial formula.

Although this correctly represents your attitude after leaving Lausanne it is being exploited to represent our present attitude as more uncompromising than it really is, while French are letting it be believed that they are prepared for reservation of both economic and financial clauses. They are holding back two material facts, viz., (*a*) that French Government no longer consider themselves bound by Bompard's offer to reserve clauses altogether, and (*b*) that what they now mean by separation is merely that disputed clauses should be dealt with in separate convention to be signed simultaneously with treaty.

This makes it important that my French colleague should receive definite instructions to acquaint Turks with real French attitude. It also renders it desirable that, for the purpose of language to be held to Adnan, journalists and others, I should have more latitude than is allowed by your telegram No. 36, by which I still feel bound. What I should like to be able to say is that, while His Majesty's Government cannot agree either to reservation of economic clauses as a whole or to regard judicial question as settled by Montagna formula, they do not exclude possibility of further discussion of points left outstanding at Lausanne if and when Angora confirms agreement with Ismet on other clauses and states its case regarding matters still in dispute on 4th February.

This would not only improve our tactical position, but might also help peace party at Angora, who are evidently having enormous difficulty with rabble of extremists in Assembly.

No. 401.

Sir H. Rumbold to the Marquess Curzon of Kedleston.—(*Received March* 6.)

(No. 145.)
(Telegraphic.) R. *Constantinople, March* 6, 1923.

MY telegram No. 131.

Adnan left with me this afternoon formal protest from Angora Government against action of Greek Government, of reasons for which they are still officially ignorant, and which in any case constitutes flagrant violation of binding agreement all the more surprising as they have themselves taken all measures with a view to punctual and loyal fulfilment of their obligations under it.

Copy follows by King's messenger.

Turkish press continues to exploit Greek action to the disadvantage not only of Greeks but of the Allies.

(Sent to Athens, No. 24.)

No. 402.

The Marquess Curzon of Kedleston to Sir H. Rumbold (*Constantinople*).

(No. 69.)
(Telegraphic.) *Foreign Office, March* 6, 1923.

YOUR telegram No. 131 of 2nd March: Greek reprisals for continued expulsion by Turks of Pontic Greeks.

While Greek action at this moment may be bad tactics, continued expulsion of Greeks from Pontus constitutes serious Greek grievance, and is distinct violation of spirit of agreements reached at Lausanne. In the circumstances it is rather difficult to put pressure on Greek Government to abandon only lever they possess by releasing Turkish hostages. Unless you see serious objections, you should point this out unofficially to Turkish Government, and renew, if possible, jointly with your French and Italian colleagues, the representations reported in Mr. Henderson's telegram No. 59 of 6th February, adding that these expulsions and the terrible suffering they entail have become known in this country, and are creating a deplorable impression.

(Repeated to Athens, No. 32.)

E 2357/6/44 No. 403.

Memorandum communicated to Greek Legation.

THE Secretary of State for Foreign Affairs has the honour to state that the offer of the Greek Government contained in the Greek Legation's memorandum of the 28th February to place the Greek fleet under the orders of the Allied admirals in the Sea of Marmora is one which, for obvious reasons, it is quite impossible for His Majesty's Government to accept.

Foreign Office, March 6, 1923.

No. 404.

Sir H. Rumbold to the Marquess Curzon of Kedleston.—(*Received March* 7.)

(No. 146.)
(Telegraphic.) R. *Constantinople, March* 7, 1923.

MY telegram No. 138.

Motion for closure was accepted and debate closed late yesterday. Following official communiqué was issued immediately

"Draft treaty presented by *Entente* Powers to our delegation as a result of Lausanne Conference has been considered unacceptable, as it contains stipulations damaging to our independence.

"If *Entente* Powers should insist on acceptance of this draft as its stands, we are free from responsibility for results which will ensue.

"Authority was given to Government by great majority for continuance of peace negotiations on basis of solution, within limited period, of very important and vital Mosul question, full and secure attainment of vital and independent rights of our nation and country in financial, economic and administrative questions, and speedy evacuation of our occupied territories immediately after peace."

I will telegraph comment later in the day.

No. 405.

Sir H. Rumbold to the Marquess Curzon of Kedleston.—(Received March 7.)

(No. 147.)
(Telegraphic.) *Constantinople, March 7, 1923.*

MY telegram No. 146.

Decision of Assembly was accompanied or preceded by formal expression of confidence in Government.

Further information so far is meagre. Council met this morning, apparently to draft note to Allied Powers, which may be expected to-night or to-morrow. Unofficial telegrams lay stress on determination of Assembly to secure complete non-interference in judicial matters and indemnity from Greece.

Terms of official communiqué, though evidently designed to placate extremists, seem to be in reality fairly satisfactory. Much depends, of course, on meaning attached to clause about Mosul which is ambiguous, but which can be interpreted as, and is probably intended to cover, acceptance of your Lordship's final proposal at Lausanne. It is satisfactory that so much discretion has been left to Government, who are apparently most anxious to avoid war, though determined to extract further satisfaction from Allies on points left outstanding at Lausanne.

Nothing would now be so useful as speedy public reconstruction of Allied front on lines indicated in third paragraph of my telegram No. 144.

No. 406.

Sir H. Rumbold to the Marquess Curzon of Kedleston.—(Received March 8.)

(No. 148.)
(Telegraphic.) *Constantinople, March 7, 1923.*

YOUR telegram No. 69.

I had anticipated instructions in last sentence by repeated representations to Adnan regarding Greeks from Black Sea coast. I wrote to him on 5th March, describing gravity of situation, and once more urging that measures should be taken to arrest flow of refugees. I asked him to send personal message to Ismet in support of my representations, which I renewed verbally on 6th March when he left note referred to in my telegram No. 131.

My Allied colleagues and I have to-day addressed strongly-worded joint protest to Adnan, pointing out, amongst other things, how contrary Turkish behaviour is to spirit of convention for exchange of populations.

While I am thus doing the utmost to remedy the legitimate grievance of Greeks in this direction, I see serious objections to linking it with question of civil hostages and prisoners of war. I still think it would be wise to point out to Greek Government two-fold danger that Turks, who are very excited over this question, may indulge in reprisals and that Greek attitude may react on political situation just when prospects of peace have improved. If we take no action at all at Athens we shall presently appear to approve attitude of Greek Government, and we shall increase the tendency of the Turks to accuse, not only Greeks, but Allies, of bad faith.

(Sent to Athens, No. 25.)

No. 407.

Sir H. Rumbold to the Marquess Curzon of Kedleston.—(Received March 8.)

(No. 149.)
(Telegraphic.) R *Constantinople, March 7, 1923*

MY telegram No. 146.

Aviators have now been released and are on board His Majesty's ship at Smyrna.

No. 408.

The Marquess Curzon of Kedleston to Sir H. Rumbold (Constantinople).

(No. 72.)
(Telegraphic.) *Foreign Office, March 8, 1923.*

YOUR telegram No. 144 of 6th March: Resumption of Lausanne negotiations.

If you still attach importance to the point, you may make communication to Adnan Bey which you suggest. Such a separate statement would be clearly justified by attitude of French press and French and Italians generally. On the other hand you may think it unnecessary to make any such statement now in view of your telegram No. 146 of 7th March, and I would prefer myself to wait until we can make joint Allied communication to Angora, for which occasion will presumably arise as soon as Ismet gives effect to paragraph 3 of the Assembly's resolution in his note to the secretary-general of the Lausanne Conference regarding the resumption of negotiations.

[E 2569/1/44]

No. 409.

The Marquess Curzon of Kedleston to the Marquess of Crewe (Paris).

(No. 817.)
My Lord, *Foreign Office, March 8, 1923.*

THE French Ambassador came to see me this afternoon with a proposal from M. Poincaré which he hoped that His Majesty's Government would be in a position to accept. It was that the Allied Powers should allow the Angora Government to enter into private negotiations with the various European concessionnaires at Constantinople and in Turkey with a view to concluding separate arrangements with them rather than incorporate a general settlement in the contemplated treaty. When I asked who the concessionnaires were, to what extent they were French, British or Italian, what was their standing, what their numbers and what the interest that they represented, the Ambassador, to whom the subject was evidently new, could not inform me. All that he could say was that the bulk of these people or societies—he was speaking, of course, in the main if not entirely of the French—had at different stages since the war concluded such arrangements with the Constantinople Government, and these were the agreements which he hoped that the Angora Government would now ratify. The object of the French Government in making the proposal was to humour the Turks, who would be more likely to arrive at a suitable settlement if they were allowed to negotiate in this way than if they were asked to accept an international treaty that provided the same safeguards. If the negotiations failed, M. Poincaré's proposal then was that the guarantees already provided in the draft treaty should stand. If, on the other hand, they succeeded before a new treaty was signed, we should take act of these arrangements in a special official agreement or document signed by Turkey and the Powers, in which the latter would claim the right to interfere in the future in the interests of the concessionnaires to see that the stipulations of the various agreements were faithfully carried out. This would be necessary in order to secure the right of the Powers to intervene on behalf of their nationals, which might otherwise be disputed by the Turkish Government in the future. The Ambassador asked whether I would accept this proposal in principle. This I declined to do because, as I said, the subject was

new to me; I did not recall it ever having been brought to my notice at Lausanne; I had no idea who or what the British concessionnaires might be; I could form no opinion whether this method of treating their case would be either feasible or just; and I was considerably disturbed at the prospect of negotiations for a renewed treaty being indefinitely postponed while these domestic pourparlers between the Angora Government and the concessionnaires at Constantinople were going on. Surely the right thing to do was to get to business again without delay, whether at Lausanne or elsewhere, and the prospect of waiting while a squabble of indefinite duration took place between the Turkish Government and these persons filled me with no small alarm. I asked permission, therefore, to reserve my opinion and to make enquiries before I could give any definite reply to the Ambassador. I conclude from M. Poincaré putting forward the proposal that it is one which will be favourable to French interests, whatever it may be elsewhere, and that it is more than likely it may be intended to cover some arrangement or offer that his representatives have already made. I further mentioned the case of the Italians who would have to be considered, since any action to be taken could only be international.

I went on to indicate to the Ambassador the right method, as I thought, of dealing with the Turkish proposal to reopen the negotiations, but said that we must wait till the official letter or proposal from the Angora Government should arrive. I had myself a fairly clear idea of the manner in which we should proceed, and in all probability I should address the French Government on the subject. In the meantime I called the attention of his Excellency to the fact that, whereas M. Poincaré had made it quite clear to us here that along with ourselves he regarded the Montagna formula and the proposals put forward by M. Bompard at the last moment concerning the economic section as having lapsed owing to their failure to secure the signature to the treaty, which they had been put forward to effect, nevertheless, no intimation of the French point of view had been conveyed to the French High Commissioner at Constantinople or to Adnan Bey, and a persistent effort was now being made there to represent the French as being willing to offer concessions to the Turks, against which the British alone were standing out. This was an absolute misrepresentation of the situation, which would soon be found out, but meanwhile it seemed to me unfortunate that the French Government had kept their High Commissioner and the Turks in the dark as to what were their real views and intentions.

I am, &c.
CURZON OF KEDLESTON

No. 410.

Mr. Bentinck to the Marquess Curzon of Kedleston.—(Received March 9.)

(No. 80.)
(Telegraphic.) R. *Athens, March 8, 1923.*

MY telegram No. 75 and Constantinople telegram No. 148.

After meeting with other members of Cabinet and of International Red Cross Commission, Minister for Foreign Affairs informed press that operations for exchange of prisoners had merely been suspended and would be resumed as soon as Greek Government received assurances that deportations of Greeks from Asia Minor would cease. Greek Government have, Minister for Foreign Affairs points out, so far refrained on grounds of humanity from expelling Turks from Macedonia, which would constitute the obvious method of reprisal.

Red Cross are endeavouring to mediate here, but matter appears to me to lie entirely in the hands of the Turks, who have merely to promise not to act in violation of the spirit of Lausanne Conventions. French Minister inclines to my view, but he is without either information from Constantinople or instructions from his Government.

(Repeated to Constantinople.)

No. 411.

The Marquess of Crewe to the Marquess Curzon of Kedleston.—(Received March 9.)

(No. 269.) [By Bag.]
(Telegraphic.) *Paris, March 8, 1923.*

AT the conclusion of an article in to-day's "Matin" dealing with the attitude of the Angora Assembly to the Lausanne Treaty the following passage occurs:

"Despite the numerous points of difference still existing, the French Government is determined not to miss this opportunity of obtaining peace in the Near East. They will therefore examine the new Turkish proposal 'avec la plus extrême bienveillance.'"

The "Débats" to-night takes some comfort from the fact that it is Mustafa Kemal, the military leader, who is in favour of moderation and against a new war, but it deplores the phrase above quoted. It fears that a satisfactory settlement is no longer possible, and that France has lost for good both her prestige and her interests. The "Temps," on the other hand, is optimistic and sees in the three conditions laid down by the Angora Assembly no insurmountable obstacles. It hopes the Turks will submit drafts of the articles which they desire, on these points, to see substituted for the corresponding articles in the existing draft treaty.

No. 412.

Sir H. Rumbold to the Marquess Curzon of Kedleston.—(Received March 9.)

(No. 154.)
(Telegraphic.) *Constantinople, March 9, 1923.*

MY telegram No. 147.

Special messenger travelling by motor trolley left Angora yesterday afternoon with communication for Powers which is said to be in the form of lengthy counter-proposals with covering note. Intention appears to be to hand this to High Commissioners here to-morrow. Telegrams from Angora make no mention of any communication to Secretary-General of Conference.

I agree with view expressed in your telegram No. 72 that no communication regarding British attitude need now be made to Adnan pending the receipt of note.

General feeling here is that peace is in sight. Turkish circles are relieved at this, though one extremist paper to-day attacks Assembly for having shown weakness. Universal opinion is that reference to Mosul in official communiqué means that question can be left for settlement after signature of Peace Treaty.

No. 413.

The Marquess Curzon of Kedleston to Mr. Bentinck (Athens).

(No. 34.)
(Telegraphic.) *Foreign Office, March 9, 1923.*

YOUR telegram No. 75 of 1st March: Greek reprisals for continued expulsion by Turks of Pontic Greeks.

Please make unofficial representations to the Greek Government in the sense of Sir H. Rumbold's telegrams Nos. 131 of 2nd March, 145 of 6th March and 148 of 7th March, adding that, while His Majesty's Government fully appreciate the Greek point of view (see my telegram No. 69 to Constantinople of 6th March), Greek action in refusing to release hostages is not only technically illegal, but may prejudice chances of peace, and can thus only react adversely in the end on Greek interests. You should point out that no form of reprisal could be less opportune than the violation by the Greek Government of the only formal agreement concluded at Lausanne which has actually come into force, and urge Greek Government, in their own interest and in that of an early general settlement, to reconsider their action.

(Addressed to Athens, No. 34; repeated to Constantinople, No. 73.)

[E 2605/4/44

No. 414.

British Red Cross Society to Foreign Office.—(Received March 10.

Sir, 35, *Albemarle Street, London, March 9, 1923.*

I BEG to enclose herewith copy of a report which has just been received from Major-General Sir Patrick Hehir, which may be of interest to your Department.

I am, &c.

J. N. KENNEDY,
Secretary (Near East Section).

Enclosure in No. 414.

Report by Major-General Sir Patrick Hehir respecting Greek Refugees.

AT the present moment there are about 1,000,000 refugees in Greece, scattered over the country in smaller or larger groups. At the end of December there were 868,186; since then roughly 150,000 more have wandered in by ship and train, or in the north by cart or on foot. They have come from many regions—Smyrna, Syria, Armenia, Eastern Thrace, and areas bordering on the Black Sea; there are likewise among them some Assyrians. A refugee camp in its initial stage is a sort of chaotic Babel, and unless one commanded at least half-a-dozen languages it would not be easy to communicate with its inhabitants satisfactorily. All camps are able to relieve one of the difficulties by providing interpreters from among the refugees. These people soon settle down and are, as a rule, unwilling to move, except when they feel that they can do better in other camps or have sufficient capital to start small shops or find employment in their own trades. When work is provided for them one would imagine they would be anxious to earn their living, but this is not always the case.

The refugees have been chiefly housed in and near the larger towns. They are located in barracks, prisons, specially erected huts, offices and Government buildings of all kinds, in churches, synagogues, temples, mosques and theatres, cinema palaces, and other places of amusement, warehouses, stores, factories, schools, stables, railway buildings, under canvas, in verandahs, along quays and wherever shelter of any kind is obtainable. In many towns a certain number of the refugees have been quartered in private houses.

In the Salonica area the old British, French and Greek camps have provided shelter for many thousands at Harmankieu, Kalamaria, Lembet Toumba, &c., the old British General Hospital Tarant huts, in particular, are accommodating large numbers of these unfortunate people, and fine quarters they make. The huts required very little repairs, indicating how well they were constructed; the water supplies were again revived, and, *inter alia*, it is interesting to see old "Thresh" and "Velox" steam disinfectors once more carrying out their office in connection with delousing infected clothes and bedding.

In some places refugee homes have been provided by the local inhabitants for the better-class refugees. In Salonica, for instance, the British and American residents have hired a large building and given quarters to forty such families.

The age and sex distribution of refugees has varied greatly with the regions from which they came. Thus, from Asia Minor, they consist of very old men, old women, young mothers, boys, girls and infants—all men and boys of fighting age were taken by the Turks as prisoners. The old men and women are in a desperately low state; the mortality among them has been high. On the other hand, those from Eastern Thrace are comparatively healthy; all got away deliberately, and were able to bring with them much of their worldly goods.

There are several organisations carrying out relief work in one form or another—the British Red Cross Society, the American Red Cross Society, the International Red Cross Association, the League of Nations, "Save the Children" Fund representatives, American Y.M.C.A., Near East Relief and others. So far as I have been able to see there is little or no overlapping. Each is operating in a specific way over a more or less definite area; one is provisioning adults in certain areas; another is feeding thousands of children; a third is endeavouring permanently to settle a large number of refugees on the land and in industrial work; a fourth is doing the medical and sanitary work in certain limited districts; a further body is delousing typhus-infected camps and so forth. The task connected with refugee relief is altogether too vast for any one

philanthropic body, and even with the wise division of labour existing, it is probable that one by one at least some of these organisations will cease to function for want of financial support.

On the whole, the conditions are more satisfactory than one expected, although much misery, discomfort and hardship is obvious in every refugee camp. The size of the camps varies from holding, say, 500 to 12,000 (the largest I have seen). They are usually run on the following lines. A person of some importance is selected from among the refugees, acts as a sort of under-commandant and, assisted by some soldiers, exercises discipline of a kind, although discipline as gauged by our standard is conspicuous by its absence. The doctors are also Greek refugees. The sanitary work connected with epidemic disease is being carried out by the Government Health Department under the guidance of an officer of one of the Red Cross societies. The vaccination against enteric, cholera and smallpox is being done by a special establishment organised by Dr. Gauthier, delegate from the League of Nations. This work is of a very high order. I have seen it in operation in several camps. Medicines are provided by the various relief associations, supplemented, when necessary, by supplies from the Greek Government medical stores, but as there is usually great delay in compliance with indents made on these stores, many of the drugs have to be purchased from chemists locally. The British Government made a most valuable and useful gift in the shape of a large stock of medicines, medical and surgical equipment and some hospital appliances; this has really been priceless in its utility in the great crisis. In some camps the water supply is decidedly defective, which interferes with the bathing arrangements, steam disinfection of clothing and bedding and ordinary laundry work—serious obstacles when endeavouring to eradicate typhus fever from an infected camp. The Greek administration is making every possible effort to remove this difficulty.

It cannot be said that the hospitals of the refugee camps are on ideal lines. The medical officers are in almost all cases refugees themselves, and in their present depressed condition are wanting in initiative, organising ability and power to exercise proper discipline; absence of discipline and order are the two great defects in these institutions at present. I am convinced that the refugee doctors, some of whom are exceedingly good physicians and surgeons, are doing their best, and that the shortcomings that exist are due to the unfortunate circumstances in which they find themselves. The difficulties to be met are numerous and serious, and these doctors make many efforts to overcome them. I have noted many convalescent refugees expressing their profound gratitude to the refugee doctors who looked after them.

The loss of, conditions of the refugees, the hardships they have experienced, especially the ill-effects of heat and exposure have considerably reduced their stamina and vitality and lowered the resistance to disease, and when it is related by disease except in the case of tuberculosis runs a serious course—about 8 per cent. is fatal. This age mortality is important as it has a direct ordinary in the hospitals; cases of weakness in the early stages of bronchitis and often it is only a matter of days to save life by getting hospital relief is sought. This is one of the ways in which typhus fever is being kept up.

Many cases of scurvy also are due to prolonged malnutrition; this is especially the case with children and infants, a fair proportion of these are in a marasmic state from this cause. The result is that epidemics is one of the circumstances of the infant diseases in these camps, and the mortality from it is heavy. The mothers in a large number of cases are in a debilitated condition from shock, starvation, or malaria, and have their breast milk of a poor supply of good quality. It is distressing to see a large number of young mothers worn out by the misery of being uprooted from their homes and the hardships of a harried exodus, unable to nourish their offspring, and the food want of suitable food. This is the time for such items as Glaxo, Allenbury's Foods, Mellins, Benger, Bovril, Virol, &c., to come forward with a view of stocking their quota through the right channels.

In the Athens district the camp with which the British Red Cross are specially connected is in New Phaleron and is known as Stringo's Camp. It contains about 5,000 refugees, occupying a large cotton factory. The medical work is carried on by three refugee Greek doctors, and *pro tempore* is satisfactory. It is a small hospital of thirty beds, the serious cases being sent to one of the general hospitals in Athens. There are sixty out-patients daily. As in all these Greek camps, the latrine arrangements are very foul.

We will soon have a British medical officer here as superintendent, and things will be much more satisfactory. There are three British ladies doing excellent work as

raises and supervises, more are required, and I am pleased to find that they will arrive in a few days time.

The British Red Cross Society, with which I am connected, have assumed the medical and sanitary needs of another smaller camp, containing 350 refugees, near Athens. They have likewise taken over Lady Rumbold's Hospital of 300 beds at Gumujina. They hope to open out smaller hospitals at Drama, Seres, Kavalla and other areas in Western Thrace. A British Red Cross train, laden with various supplies, including valuable and much required stock of medicines, and provided with four ambulance coaches, is stacked at Salonica, whence it is distributing its contents.

Inoculation against typhus is being adopted; it is at present in the experimental stage, and is of course voluntary. I was inoculated a few days after my arrival in Athens, so can now practically all employed on British Red Cross work have been done. There is absolutely no reaction. Dr. Georges Blanc Directeur de l'Institut Pasteur he belongs, who is on special duty in connection with this work, tells me that up to date he has done thousands of anti-typhus inoculations, and he has not heard of any inoculated person acquiring the disease. He is careful not to express any opinion regarding its prophylactic effects at present. Dr. Haigh, Sanitary Adviser of the Greek Government on repatriation from the League of Nations, is equally cautious in stressing its value. I am sorry to say that if favourable reports regarding its value are forthcoming it is of course the Greek Government purpose making it compulsory among refugees occupying infected areas.

The most vitally important measures necessary at the present time is the isolation of typhus cases and the prevention of the dissemination of such diseases. I know from my own personal experience in Greece, that cases of typhus fever are sometimes not discovered in refugee camps for a few days after they have been admitted. I have seen at least a dozen cases diagnosed in the early stage as influenza, and one of these wrongly diagnosed cases infected a whole general hospital that was receiving cases from refugee camps. In a few instances I have discovered cases of typhus in the prescriptive stage walking about among the healthy members of camps. I might mention that there seems to be a remarkable difference in the virulence of typhus in different areas. In the Athens and Salonica districts, for instance, the disease is not so severe as in other places. In Corfu it is extremely virulent, and I have only just heard that of twenty-five doctors employed with the typhus outbreak in that island in February, eight have been infected and seven of them have died. I do not vouch for the accuracy of this statement; my informant, who has just returned from there, but is not a medical man, assures me as to the reliability of his figures.

It is interesting to note the admirable work the League of Nations is undertaking in connection with the prevention of infectious disease and the permanent settlement of 10,000 refugees. Their medical representatives are now carrying out the enormous task of inoculating the whole of the refugees in Greece against enteric, paratyphoid A and B and cholera, and vaccination against smallpox. Important scientifically is the fact that in each instance these protective measures are carried out at the same time. A polyvalent vaccine of T A B, plus cholera vibrios, is being injected, and ordinary vaccinations against smallpox is done at the one sitting; the polyvalent is of course repeated on the eighth day.

As stated, the League of Nations is also engaged upon the permanent settlement of 10,000 refugees from Eastern Thrace, the Caucasus and elsewhere, on land granted by the Greek Government, some in towns, others in agricultural villages. These people, with help given them, build their own houses and huts, for the time being occupying tents. Many are already settled. Certain trades such as carpet making, blanket making, weaving, boot making, basket making, tanning, &c., have been started. The area in which the refugees are settled is Western Thrace. A large hospital the Lady Rumbold Hospital—has been opened in connection with this movement, and is being handed over to the British Red Cross to furnish the adjacent villages with nave visiting medical officers, nurses, &c. The transference of the general hospital on to smaller nursing hospitals and dispensaries under the British Red Cross.

The work of relief and repatriation in Athens, Salonica and other places by the American and British Red Cross Societies and other organisations is in no sense a palliative to the evil of the situation presented. Feeding, clothing and doctoring do not solve the problem of permanent self-maintained, and nothing short of making them self-supporting, is a correct solution of the difficult problem that faces the Greek Government. It is no use to think that refugees cannot be made strong and

fit for real hard work on relief rations. One of the most puzzling difficulties at present is the finding of suitable work for these unfortunate people. Many have got into the way of expecting gratuitous relief, and when a job of work comes their way they move in the opposite direction. Personally one feels that it may not only be necessary to provide work, but to compel the people to work. It goes without saying that extraneous relief must sooner or later come to an end, and unless some form of permanent settlement for the bulk of the refugees is seriously taken in hand and dealt with, by degrees a rather appalling situation is likely to be created.

The manner in which the Greek Government and the better classes of the Greek community have worked on behalf of the refugees has aroused universal admiration. There was no obligation on them to give sanctuary and succour to many thousands of those who were driven out of Asia Minor, yet they have taken in all Christians from that region, whether Greek, Armenian, or Syrian. I believe that one of the happiest and best accommodated refugee camps is that of the Armenians on a suburb of Athens. One should remember also that the present preoccupations of the Greek Government are not favourable to the full consideration of the many needs of the hundreds of thousands of refugees they have entrusted, the existing political perturbations are naturally diverting their energies in many ways.

I would make an earnest appeal to the philanthropy of the people of our Empire to help in the cause in which I am personally engaged. The work of the British Red Cross Society. I know of no cause so thoroughly deserving of practical sympathy in the form of financial help. There are many British men and women, doing all that in their power to look after the weaklings and sick among the refugees in the midst of typhus, smallpox, measles and other infectious diseases. I can also vouch for the fact that all funds entrusted to the British Red Cross Society (Near East Section, 9, Abemarle Street, London) are devoted to the care of those for whom it is craved, and they are expended with the greatest possible judgment.

It is impossible, in the relation of the conditions referred to, to describe in detail the enormous amount of philanthropic work that is being done under British and American organisations for the relief of the Greek refugees. This work is instimable in the saving of life and decrease of suffering. This good work can only go on so long as funds last.

The Greek Government and the American Red Cross Society have been most helpful to the British Red Cross.

The Americans are taking by far the largest share of this relief work in all its branches. I have been astonished by the extent of the generosity and practical philanthropy of the people of that republic, and it is with profound sincerity that I express the belief that only a great and good nation could do the work they are doing in the relief of the Greek refugees.

No. 415

The Marquess of Crewe to the Marquess Curzon of Kedleston.—(Received March 10.)

(No. 274.) | By Bag.

(Telegraphic) *Paris, March* 9, 1923.

DEALING with decision of Angora Assembly, "Petit Parisien" this morning writes that the burden of the new Turkish demands falls on France and Greece, as England has already agreed to defer a settlement of the Mosul question. The demands which affect France raise the question of the validity of concessions given in 1914 in return for the loan of 500 millions. The concession made by France at Lausanne at the last moment in order to secure signature are not referred to in the Yellow Book and France has resumed complete liberty of action owing to the fact that the object of the concession failed ("Il avait pu obtenir la conclusion rapide du traité promise en contre partie nous avons repris notre complète liberté d'action"). "Petit Parisien" then asks how France can defend her interests? The English are showing themselves more yielding now than the French. Not only have they recalled the greater part of their warships from Smyrna, but also they have authorised British subjects, directly interested, to negotiate private agreements with the Turks, although they protest that the economic and financial clauses must not be separated from the rest of the treaty. He concludes that some may suggest that France should do likewise, and perhaps also as regards Russia, but rejects this idea as illusory.

No. 416.

Sir H. Rumbold to the Marquess Curzon of Kedleston.—(Received March 10.)

(No. 153.)
(Telegraphic.) D. *Constantinople, March 9, 1923*

MY telegram No. 151.

Messenger from Angora having arrived with unexpected rapidity, Adnan delivered note and counter-draft to High Commissioners this afternoon. Full summary of note, which is very lengthy, is contained in my immediately following telegram.

You will see by it that counter-draft differs from Allied draft in numerous details. I am studying counter-draft and will telegraph comments to-morrow. I propose to send both documents home on Sunday by Mr. Henderson, who will also convey documents for French Government.

No. 417.

Sir H. Rumbold to the Marquess Curzon of Kedleston.—(Received March 10.)

(No. 154.)
(Telegraphic.) R. *Constantinople, March 9, 1923*

MY immediately preceding telegram.

Following is summary of covering letter signed by Ismet Pasha:

"I transmit modifications proposed by my Government in draft treaty and annexed conventions handed to Turkish delegation.

"Before setting out considerations underlying these modifications I desire to sum up briefly events before and after departure of various delegations from Lausanne.

"Marquess Curzon met Turkish request for eight days' delay to study proposals of 31st January by refusal to wait more than four days. Notwithstanding insufficiency of this period Turkish delegation made great effort culminating in its proposal of 4th February to sign treaty at once subject to questions still in dispute being reserved for subsequent negotiations, sufficient agreement for this purpose having been already reached on fundamental questions thanks to Turkish concessions regarding frontier of Thrace, Anzac graves, islands of Imbros, Tenedos and Dodecanese, reservation of Mosul question, and various financial, sanitary, judicial and other territorial questions on which agreement had been reached or rapprochement effected. Allies nevertheless insisted on acceptance of treaty as it stood, subject to reservation of five articles and one annex of secondary importance only; thus seeking to impose on Turkey treaty including disputed economic clauses and various clauses never previously discussed or differing from what had been agreed to in certain commissions, *e.g.*, clause concerning sabotage. This amounted to dictating terms of peace, notwithstanding Allied promise to treat with Turkey on terms of equality. British delegation left immediately after this sitting, and other delegations followed suit.

"If after negotiations lasting two and a half months, which have resulted in agreed solution of many questions, Turkey had been accorded short delay for which she asked, and if, above all, regular procedure, which had given such good results, had not been abandoned in the last phase of conference, peace would have been concluded.

"Non-renewal of hostilities since 4th February has already been attributed, in the first place, to will for peace manifested by Turkey. If draft had been prepared in common, as originally agreed to, most of amendments now introduced into it would be unnecessary, as text would have represented views shared by contracting parties, especially as in many cases amendments are mainly matter of drafting.

"To facilitate study of amendments asked for, draft is in parallel columns, showing original Allied text and proposed modifications.

"In Part 1 there are no modifications of substance, territorial questions being settled in accordance with views of Allies. Requests to treat uninhabited islets of

Mereh similar to Tenedos, to retain Castellorizo under Turkish sovereignty, as contemplated in 1914, and to make thalweg, instead of left bank of Maritza, frontier of Thrace cannot be considered inequitable or contrary either to principles usually observed in fixing frontiers or to views maintained by Allies themselves. Other modifications of territorial and political clauses concerning drafting or details devoid of influence on agreed settlement of fundamental questions.

"As regards Part 2, amendment of article 46 merely gives effect to acceptance by Allies themselves at the last moment of nominal capital of Ottoman Public Debt.

"Relations between Turkish Government and Debt Administration being of internal character, article 47 cannot figure in peace treaty.

"Dodecanese and islands assigned to Greece by article 12 occupied almost an identical situation in fact and in law. As former islands are to participate in debts prior to 17th October, 1912, latter should *à fortiori* assume share of same debts, and not of those in existence on 1st November, 1914, as contemplated in Allied draft. Similar annuities payable by both groups of islands, which for ten years have been occupied by Powers to which they are now assigned and which have had full benefit of their revenues, should be payable not from coming into force of treaty, but from date approximating to that of their occupation, *i.e.*, 17th October, 1912 (which is very nearly date of Treaty of Lausanne), for Dodecanese and date of Treaty of Athens for other islands; hence amendments made in articles 48 and 52.

"Loans contracted for railway construction have always figured amongst debts to be divided between Turkey and detached territories. Financial Commission which sat in Paris after Balkan wars made no objection to this, nor did Allied Powers when drafting Treaty of Sèvres without Turkish participation hesitate to include these debts in table of Ottoman Public Debt. To submit to arbitration principle admitted so often by Powers themselves would enormously injure Turkey, which, owing to postponement of distribution of debt contemplated in Treaty of Berlin and exclusion from distribution of many debts, *e.g.*, internal loan, has already assumed heavy financial liabilities. She cannot, therefore, consent to discuss before arbitral tribunal elimination from table of debt of charges in respect of Bagdad, Sona Pandelma and Hedeidah Sana railways, hence suppression of article 50 and Annex 2 of financial clauses.

"Allies have agreed that payment of back annuities falling on other States taking over share of Ottoman Public Debt should be effected free of interest within period of twenty years from coming into force of treaty. There is no reason for giving Turkey unequal treatment in this respect. As, moreover, Turkey has unduly paid major portion of interest and sinking fund of shares accruing to these States, nothing could be more equitable than that back annuities to be paid by these States should be affected to Turkey's back annuities up to amount so paid by her. Given settlement of back annuities in manner indicated there would be no need to provide any solution regarding revenues affected to service of Ottoman Public Debt which have not yet been paid. Amendment of article 53 and suppression of article 54 rest on above considerations, while Powers have already agreed to delete first paragraph of article 56.

"Explanatory note to Annex 1 of financial clauses must be suppressed for following reasons:

"1. Owing to depreciation of Turkish currency, enormous difference exists between value of Turkish paper money and that of various Allied Powers, which makes it impossible for Turkey to pay annuities of Ottoman Public Debt still chargeable to her indiscriminately in Turkish money or in that of these Powers as formerly.

"2. As has been frequently stated above, relations of Turkish Government with their creditors have been of private character, and Turkish stipulations cannot therefore well figure in international instrument.

"As a result of abandonment in the course of meetings during the last two days of Allied demand for payment by Turkey of 12 million pounds gold, section 2 of financial clauses in regard to reparations is suppressed with exception of article 57 which has been adapted to new arrangement and of article 58 concerning damage caused in Turkey by Greek authorities and army.

"Part 3 (articles 71 to 117) contains many questions on which no agreement was reached between Allies and Turkish delegates. Solution of these questions necessitating exchange of views between interested States, Turkish Government

considers it necessary to detach them from treaty in order to continue negotiations in regard to them separately.

"Part 4 is accepted with the exception of some paragraphs of articles 129 and 130 concerning constitutional functions of Sanitary Committee. The three foreign counsellors are calculated to render great service to administration.

"Two first sections of Part 5 are accepted in entirety, while third section contains no essential modifications worthy of comment.

Conventions regarding Straits régime and Thracian frontier are maintained in entirety with the exception of article 4, which was suppressed by Allies.

"Convention respecting régime for foreigners should preferably be entitled 'Convention d'Etablissement' between Turkey and Powers and have as its object not only position of subjects of those Powers in Turkey, but also position of Turkish subjects in Allied countries

"All modifications introduced into that convention by Grand National Assembly are inspired by following considerations:—

"(*a*) That definite abolition of Capitulations is recognised by Allies;

"(*b*.) That this recognition entails as immediate consequence necessity for bringing relations between Turkey and Allied Powers into conformity with requirements of general international law and practice habitually followed between independent nations.

"(*c*.) That in accordance with international rules of usage conditions which govern entry and residence of subjects of one State in territories of another, their fiscal régime, as well as their judicial position in courts of those territories, is determined by conventions concluded for a fixed period on basis of reciprocity or reciprocal most-favoured-nation treatment.

Allied draft takes no account of the above principles. Chapter I, concerning entry and residence, inasmuch as it is limited by no period, only affects unilaterally position of Allied subjects in Turkish territory and omits all idea of reciprocity in favour of Turks in Allied territories and has all the appearance of veritable Capitulations. Sincerity of Allies when they declare that they recognise abolition of Capitulations and independence of Turkish nation requires that they should not seek either to obtain from Turkey concessions that she cannot grant nor to create a situation which exists nowhere else.

"It is scarcely necessary to add that modifications inserted in this convention are intended to give it normal character of convention of this kind, and consequently amended text contains no provisions that are not already consecrated by usage of better nations.

Concluded convention and amnesty declaration contain no essential modification that was not discussed between the two parties or accepted by Allies, majority of amendments concerning questions of secondary importance or drafting.

Text of declaration by Turkey relating to engagement of legal counsellors for five years is mainly in form settled by agreement with Allies at last moment.

I would further recall fact that on conclusion of peace interned Turkish men-of-war and arms and ammunition under Allied guard must be restored to Turkey. Justice of this demand was recognised by Allied delegation at Lausanne, and additional treaty declaration binding Allies in this respect was decided upon

Preceding explanations show once more that there exists between views of Turkey and Allies no such divergence as to prevent re-establishment of peaceful relations between them

By opening the Straits in peace and war to flags of all friendly nations and in agreeing to demilitarised zone to great detriment of defence of country; by abandoning in favour of Allied Powers islands of strategic importance for protection of coast of Asia Minor; by abandoning its rights over Karagatch to detriment of [illegible] Adrianople; by ceding concessions in Galata to Allies; by accepting [illegible] existing rights of [illegible] Empire; by agreeing that financial [illegible] Ottoman Empire [illegible] Turkey [illegible] although such [illegible] was evidently accepted by Great Powers; by admitting that financial [illegible] Ottoman Empire [illegible] international loan during debt Anatolia [illegible] by abandonment as demand that [illegible] Turkey over private [illegible] State is detached [illegible] by [illegible] other [illegible] agreement [illegible] by [illegible] counsellors selected from list drawn up by Permanent International Court of Justice as well as European medical specialists as sanitary

counsellors; by endeavouring to find on every question of particular interest to Allies a solution as far as possible in accordance with their views, Government of Grand National Assembly considers that it has made all concessions in its power in the interests of peace.

"My Government hope that if Allied Powers are inspired by the same specific sentiments as Turkey has shown during the past three months a conference, meeting in some town in Europe or preferably Constantinople, should be able in a fortnight to settle, in a peace treaty, questions enumerated above in regard to which Lausanne negotiations resulted either in an agreement being reached or in a rapprochement of views of Turkey and Allies.

"Turkish Government would be glad of earliest possible reply in order that elements, which might again endanger peace of the world and reproduce as a result of fresh conflagration horrors of the past years, might be eliminated"

No. 418

Sir H. Rumbold to the Marquess Curzon of Kedleston.—(*Received March* 10.)

(No. 155.)
(Telegraphic.) D. *Constantinople, March* 10, 1923.

MY Italian colleague has received telegram from his Government stating that Greek Legation in Rome, in complaining of Turkish reinforcements in Thrace, transport of which escapes the vigilance of Allied fleets, affirms readiness of Greek Government to place its fleet under orders of Allies for the purpose of watching coasts of Sea of Marmora and Black Sea

My colleagues and I are agreed in strongly deprecating acceptance by Allies of Greek suggestion that Greek fleet should be used for the purpose indicated

(Repeated to Athens, No 26.)

No. 419

Mr. Bentinck to the Marquess Curzon of Kedleston.—(*Received March* 11.)

(No. 85.)
(Telegraphic.) R. *Athens, March* 10, 1923.

YOUR telegram No 34

Head of Political Bureau at Ministry for Foreign Affairs came to see me and I spoke to him as instructed

He explained that exchange had merely been suspended with object of drawing attention to expulsions from Pontus Greek Government had now telegraphed to Constantinople through intermediary of Spanish Legation to say that, if they received message from Allied High Commissioners stating that it would facilitate their task with Turks if exchange were resumed, they would be ready to comply. Greek Government had, however, added that if expulsions continued they would be obliged to put Exchange of Populations Convention into force immediately and to expel Mussulman population to find room for Greeks from Pontus, for whom there is certainly no room at present

I urged that this would cause serious complications, of which my informant was fully aware, and I begged that no hasty decisions be taken, as Sir H. Rumbold was doing all he could at Constantinople. Head of bureau promised to repeat what I had said to Minister for Foreign Affairs. He hoped for desired message from Constantinople to-morrow, and said that exchange would then be immediately resumed.

(Repeated to Constantinople.)

No. 420

Sir H. Rumbold to the Marquess Curzon of Kedleston. (*Received March* 11.)

(No. 156.)
(Telegraphic.) R. *Constantinople, March* 10, 1923.

FOLLOWING is analysis of points of divergence between Allied and Turkish drafts in Part I of treaty and the two connected [illegible]. Reference may be made

Allied draft of 31st January as printed. There are a very small number of other divergences of no likely importance.

Preamble. Turks insert new third paragraph, viz., "and considering that these relations must be based on respect for independence and sovereignty of States."

Article 1. Turks omit "subject to such special provisions as may be made." They add provision for evacuation of all occupied territory immediately after ratification of treaty by Turkey without awaiting any other ratification.

Article 2 altered in three places in accordance with [? omitted: stipulation] that river frontier should be thalweg instead of left bank.

Article 3. Turks add, under Syria, provision that Franco-Turkish Agreement is to remain entirely in force with all its annexes.

Under Irak they substitute for two paragraphs in Allied draft two new paragraphs providing (1) that frontier between Turkey and Irak shall be settled amicably between Turkey and Great Britain within twelve months of coming into force of agreement, and (2) that, failing agreement, dispute shall be referred to Council of the League of Nations.

Article 5. Turks suppress entirely first sentence of second paragraph.

Article 12. Modified so as to retain islets of Merkeb under Turkish sovereignty as being dependent on Tenedos.

Article 15. Modified so as to retain Castellorizo under Turkish sovereignty.

Article 16. Turks suppress second paragraph. They add two new paragraphs, providing (1) that [? article 3] shall not interfere with stipulations of article 7 of Franco-Turkish Agreement, or with those of French plenipotentiary's letter annexed thereto, or with clauses of proceedings of signatories of agreement, and (2) that Ada Kale shall remain under Turkish sovereignty.

Article 17 and 19. Turks add in each paragraph "(group omitted) absolving Turkey from all obligations in regard to Turkish loans secured on Egyptian tribute and Customs revenue respectively."

In last paragraph of article 19 they substitute "born and habitually resident" for "born or habitually resident." They add further paragraph enabling persons who lose Turkish nationality under this article to opt for Turkish nationality in accordance with general provisions of nationality sections.

Article 21. Turks add "or under" at end of paragraph word "in" to replace "with" and to insert "force date."

Consequential drafting [illegible] in paragraph 2 without change of sense.

Article 25. Turks accept subject to replacement of words "spiritual prerogative" in paragraph 2 by words "religious prerogatives exercised outside Turkey."

Article 26. Turks replace words "agree to abrogate" by words "declare completely abrogated." They add at the end of first paragraph words "and economic and financial system resulting from Capitulations." They suppress paragraph 2 entirely.

Article 27. [illegible] persons who are already habitually resident in Turkey and have retained Turkish nationality are not affected. Nationality clauses in Indemnity Convention are accepted as they stand. Only divergence is that period of option in Lausanne Convention is two years, and article 32 is not at one year instead of two. No change in ratification clause.

No change in Straits Convention. Thracian Frontier Convention. Article 4 is [illegible] opposed.

Remainder of unamended text. Turks add new article in following sense: "Section of Orient Railway between Kolibi Bostana and Bulgarian frontier shall be worked under control of representatives of Turkey and Greece. Travellers and goods passing over this section to or from Turkey shall enjoy free transit, free of taxes and passport formalities. Turkish travellers and goods passing between Adrianople and other places in Turkey shall be free of any taxes or control at Karagatch during stop necessary for change from main line to branch line. Branch line shall be worked throughout by Turkey in order to secure traffic of Adrianople; and travellers and goods to or from Adrianople shall pass to and from Karagatch to their destinations without delay."

No. 420

Sir H. Rumbold to the Marquess Curzon of Kedleston.—(Received March 11.)

(No. 157.)
(Telegraphic.) *Constantinople, March 11, 1923*

MY telegram No. 153.

I have now studied principal portions of Turkish counter-draft, and am sending series of telegrams showing scope and nature of Turkish demands.

Reopening of so many financial questions and insistence on proposal to reserve economic clauses altogether are very unsatisfactory features. As regards numerous amendments proposed in other parts of treaty, my impression is that they are more formidable in appearance than in reality, though some of them are certainly important. It would be reasonable enough to say to Turks that if they ask us to re-discuss matters left outstanding on 4th February, they should signify their unqualified acceptance of what was agreed to up to that date. It has to be borne in mind, however, that moderate party, who have, on the whole, gained great victory at Angora, in the teeth of strenuous opposition, have got to make some show of having obtained further concessions from the Allies. I should therefore be inclined to meet Turkish Government on their present ground and express readiness to confer further with them on points raised in Turkish counter-draft, making it clear however, (1) that discussions must be strictly confined to these points, (2) that we cannot agree, as condition precedent to discussion, to simple reservation of economic clauses, and (3) that Montagna judicial formula was *not* agreed with Allies though we are willing to see what more can be done to reconcile divergence of views till existing.

As regards scene of further discussion I was wrong in thinking that Constantinople would not appeal to Turks. This removes one great objection to further negotiations being held here, but I mistrust their apparent intention to treat next phase of negotiations as new conference, and it is absurd to suggest that work could be completed here in two weeks. In my opinion choice of place must depend largely on range of subjects which Allies agree to re-discuss; but in any case I think any further negotiations should be given character of resumption of Lausanne Conference on reduced scale to complete discussion of points left outstanding there.

No. 421

Sir H. Rumbold to the Marquess Curzon of Kedleston.—(Received March 11.)

(No. 158.)
(Telegraphic.) R. *Constantinople, March 11, 1923.*

FOLLOWING is analysis of principal differences between Turkish counter-draft of convention relative to régime for foreigners and Allied draft. I omit certain drafting alterations which would present little difficulty if draft as a whole were rediscussed. References are to articles in Allied draft.

Title and preamble. Modified so as to replace expression "régime for foreigners in Turkey" by words defining objects of convention as being to lay down reciprocally conditions of "établissement" and judicial competency.

Article 1. Suppressed.

Article 2. Words "of territorial laws" are inserted after "protection." Phrase from "and they shall not be subjected" to end is suppressed. New paragraph is added reserving Turkey's right to authorise or prohibit immigration.

Article 4. Two last paragraphs are suppressed and replaced by one short paragraph allowing Allied subjects to exercise all avocations in Turkey subject to compliance with Turkish law and excepting avocations reserved for Turkish subjects only.

Article 5. Completely redrafted in two paragraphs, which provide (1) that companies regularly constituted or legally recognised in territory of Allied Powers shall be recognised in Turkey, and their legal capacity and right to sue and be sued shall be determined in accordance with their national law; and (2) that in regard to "établissement" operations and acquisition of real or other property they shall be subject to Turkish law.

Article 8. Words "without separate" to end are suppressed.

Article 9. Suppressed.

[illegible]

Article 11. Turks suppress words "riviles ou" in first line of Allied text in French and words "State or" at end. They insert after words "and which" in paragraph 1 words "in accordance with article 5 of present convention." Similar addition is made in paragraph 2.

Article 12. Replaced by clause to the effect that Turkey retains right to grant to Allied subjects, benefit of present or future fiscal immunities designed to foster industries.

Article 15. Entirely suppressed.

Article 16. Phrase from "not only" to end is replaced by words "as regards fiscal matters referred to in preceding provisions."

Article 17. Entirely suppressed

Article 18. Turks add at end words "on condition that they are domiciled (domiciliés) in country of which they are subjects or in Turkey."

Article 19. Turks suppress three phrases, viz. "récile ou" in French text of Allied draft "failing any agreement to the contrary between parties"; and "in accordance with ordinary rules of international law."

Article 20. Words from "in general" to "intestacy" are replaced by words "in general *droit de traite* of subjects of other contracting Powers." Turks insert between paragraphs 1 and 2 three new paragraphs, providing (1) that Turkish courts shall not be precluded from deciding in accordance with national law of parties group inde vplerable questions concerning subject matter of paragraph 1, and that decisions given in these circumstances relative to personal status shall be effective only in regard to parties to action and particular case before court, (2) that in cases relating to succession to personal estate national courts in country of deceased shall have jurisdiction, and (3) that in cases relating to succession to real estate courts of territory where estate is situated shall have jurisdiction.

Article 21. Words are inserted to safeguard Turkish jurisdiction in the case of offences committed in territory of third party state, but which under Turkish law are justiciable in Turkish courts.

Article 22. Suppressed.

Article 23. Words "and imprisonment for debt" are suppressed.

Articles 24 and 25 entirely suppressed. Turks add article making all provisions of convention in favour of Allied subjects and companies in Turkey dependent on reciprocity for Turkish subjects and companies in Allied territories including dependencies, and providing that, if such reciprocity is not accorded in any particular matter, subjects of State refusing it shall not benefit by convention in Turkey as regards that matter.

Article 26. Turks add at end of third paragraph words "and shall remain in force for five years."

Turkish draft declaration on administration of justice, which covering note represents as having been agreed to by Allies, is Montagna formula with slight and unimportant differences of wording.

No. 421.

Sir H. Rumbold to the Marquess Curzon of Kedleston. (*Received March* 11.)

(No. 159.)
(Telegraphic.) D *Constantinople, March* 11, 1923.

FOLLOWING is brief analysis of Turkish counter-draft, Part 2, Financial Clauses, which I have examined with Sir A. Block:—

Articles 47, 50, 51, 59 to 64 and 70, as well as explanatory note and Annex 1 and Annex 2 are completely suppressed. Reasons which have led to their suppression by Turkish Government are explained in covering note, full summary of which was contained in my telegram No. 154.

It would seem that article 47 should be maintained in accordance with paragraph 2 of article 45.

Suppression of article 50 constitutes renunciation of acceptance by Ismet of arbitration in regard to kilometric guarantees.

Article 70 should also be maintained as constituting Allied Bill of Indemnity for arrangements concluded in Constantinople since armistice.

Suppresion of explanatory note to Annex 1, though doubtless of greater interest to French than to ourselves, should at least be replaced by some declaration on the part of Turkey in regard to her intention to observe terms of her contracts.

Suppression of Annex 2 is open to the same objection as in the case of article 50.

Following articles have been greatly modified:

Article 46 for reasons given in covering note. Modifications do not appear to us to serious objection in view of last hour concession on this subject.

Article 53. See covering note.

Article 56. First paragraph of Allied text is omitted. It will be recollected that Allies at Lausanne agreed to omission in return for Turkish declaration recognising Mouharrem decrees. Turkish Government should be requested to furnish such declaration.

Article 57 of Turkish draft includes claims of "normal persons" among those which are to be regarded as compensated, thereby depriving companies such as Aidin Railway of possible compensation in form of extensions of concession in the manner contemplated at Lausanne.

Article 58 mentions only damages caused by Greek army and authorities as matter for settlement between Greece and Turkey by arbitration if necessary.

Article 65. Turkish draft suppresses words "and of civil list" and adds paragraph to the effect that rights of civil list over property in detached territory are maintained.

Turkish draft adds a declaration respecting payment of contributive parts of Turkish debts due by Balkan States under Berlin Treaty, as well as a new article dealing with share by detached States of debt created by paper currency. Effect of latter would be to add 25 million sterling at present rate of exchange to be distributed between Turkey and detached States. This will no doubt be strenuously resisted.

Finally, Turkish list of pre-war debts (Annex 1) adds all railway loans and advances by various banks and companies, thereby increasing total floating debt by some 2 million pounds Turkish. This list will need careful checking and pruning.

Modifications in remainder of articles of Part 2 appear unobjectionable.

No. 422.

Sir H. Rumbold to the Marquess Curzon of Kedleston. (*Received March* 11.)

No. 160.)
Telegraphic.) R *Constantinople, March* 11, 1923.

My telegrams Nos. 156, 158 and 159.

Telegrams under reference give full account of Turkish counter-proposals in regard to political and territorial clauses, régime for foreigners, and financial clauses. Following is brief account of its effect as regards remainder of Allied draft and annexes.

Economic Clauses.—Counter-draft simply says that whole of these shall be omitted from Peace Treaty.

Part 4, section 1. Accepted in entirety.

Part 4, section 2. Accepted in entirety except articles 129 and 130. Whole of article 129 except first two sentences and whole of article 130 except last paragraph are suppressed. Turks propose instead declaration recording their desire to engage for five years three European medical specialists as counsellors of sanitary administration of frontier.

Part 5, sections 1 and 2. Accepted in entirety subject to incorporation in article 144 of regulations for Anzac agreed with British declaration.

Part 5, section 4. Turks suppress articles 152, 153, 156 and 159, but offer in exchange for first two declaration of protection of judges of Powers in occupation of Constantinople against claims in respect of decisions or orders since armistice concerning property rights and interests of their own subjects, foreigners or Turkish subjects and relations of these persons with Turkish authorities. Turks accept articles 158 and 160 and declaration annexed to treaty. They redraft articles 154 and 155 without much serious alteration of sense. Article 157 is redrafted, accepting clause on reciprocal basis for decisions prior to armistice, but claiming return of

Turkish ships seized subsequently. They propose three new articles dealing with (1) rights of Wakfs in detached territories in Europe and in islands, (2) real property rights in the same territories, and (3) extension of article 10 of Exchange of Populations Convention to property in Greece and Crete of Moslems living outside Greece, including emigrants who left before 1912.

Commercial Régime Convention.—Turks suppress articles 1, 9, 13 and 19, but propose new article partly reproducing 9 and 13. Numerous changes elsewhere are to some extent in drafting, but they raise substantial points of detail which will require study by Board of Trade. They wish to limit validity of convention generally to five years, and of certain parts, notably articles 2 to 6, to one year for all signatories except Great Britain, France, Italy and Japan.

Amnesty Question.—Accepted subject to one point about Turks arrested in occupied districts on which Turkish delegation raised at Lausanne, and addition of formal protocol relative to 150 persons to be excepted through amnesty by an agreement between British and Turkish delegations.

E 2666 6 44

No. 423.

Mr. Bentinck to the Marquess Curzon of Kedleston.—(Received March 12.)

(No. 164.)

My Lord, *Athens, March 1, 1923.*

I HAVE the honour to report that Colonel Plastiras, who has lately taken to spending his evenings, accidentally met an Englishman of my acquaintance in the house of a common Greek friend, and the three conversed unofficially for a short while.

2. Colonel Plastiras was not sanguine as to the prospects of peace. He said that, even if peace were to be signed now, war would almost certainly ensue as soon as the Turks felt sure of their ground. He foreshadowed a general rising of the Mussulman race against the European Powers, and expressed the opinion that it was a mistake on the part of the Powers not to put Turkey out of action while there was time.

3. The colonel did not seem satisfied with the attitude of Serbia. He complained that, while Greece was able to live in peace with Serbia, the latter Power did not seem to reciprocate their views. He considered the internal situation in Serbia to be rather unsatisfactory.

4. He declared that the discipline of the Greek troops in Thrace was excellent, and he felt certain that, in the case of a resumption of hostilities Greece, at the side of her Allies, would make short work of Turkey. The idea that British troops were at their side would, he said, electrify the Greek troops. They would be capable of pursuing the Turks to Eskishehr in a few months after the commencement of the campaign. Referring to the second point, and with regard to every hope on the annexation of the city of Constantinople, Greece would, he said, [illegible] Eastern Thrace. As for Constantinople itself, he said: "Let us have an international régime, or find any other solution that suits the Turks."

5. Speaking of the internal situation, he was comparatively optimistic. He declared that the elections would be held as soon as possible—about a month—after the signature of peace, but that it was not feasible to hold them so long as the present state of siege continued. He said he would take energetic measures to see that the elections should be absolutely fair, so that the real opinion of the people would be manifested. He would, he said, arrange that anybody who had any complaint to make of partiality at the elections should be encouraged to telegraph direct to him, and he would see that [illegible] was rendered. From what evidence he could collect on the subject, he thought that the elections would result favourably to the Government. If the people, he said, were to show that they did not support him, he would retire into private life. He had no ambition whatever for himself, desired neither promotion nor honours nor money. He added that he already gave away most of his pay, all that remained after he had paid his current expenses, and he desired no reward of any kind for himself. What he did desire, and would do his utmost to achieve, was to save his country.

6. Colonel Plastiras expressed a [illegible] interests regarding French [illegible] and contempt for Italy, but said the Government might be compelled to give to the French what they would have preferred giving to the British—meaning orders for supplies, concessions, &c. The French were, he said, very active at the moment with offers.

7. Referring to the King of the Hellenes, the colonel expressed himself in praise of His Majesty's general attitude.

8. I am forwarding a copy of this despatch to His Majesty's High Commissioner at Constantinople.

I have, &c.
C. H. BENTINCK.

E 2660/343/44

No. 424.

Sir H. Rumbold to the Marquess Curzon of Kedleston.—(Received March 12.)

(No. 139.)

My Lord, *Constantinople, March 1, 1923.*

I TOOK the opportunity of a visit which I paid to Adnan Bey on the 26th ultimo to inform the latter that I wished to pay my respects to the Caliph, and that I would be glad if he would take His Majesty's commands with regard to an audience for that purpose. Whenever I have in the past applied for a private audience of the Sultan, such an audience was fixed to take place three or four days after my application. In the present case I was just leaving the Embassy at 3 P.M. on the 27th ultimo when I received a telephonic message to say that the Caliph would receive me that very afternoon. The celerity with which the audience was arranged was probably due partly to the wish of the Nationalist authorities to be polite to myself and partly to their desire that I should pay my respects to their creation, the Caliph, as soon as possible.

2. The audience took place at the Dolma Bagtche Palace, which, as your Lordship is aware, is on the Bosphorus, and a wing of which the Caliph had inhabited as Crown Prince. I was accompanied by Mr. Ryan, but his services as interpreter were unnecessary, as the conversation took place in French, which language the Caliph speaks fluently. We were received at the entrance of the main palace by a secretary of Adnan Bey, who was accompanied by a shabbily-dressed naval officer. These two conducted us up the grand staircase, halfway up which we were welcomed by a personage introducing himself as the chamberlain, who took us across the main hall to a room where we were offered cigarettes, handed to us out of a cardboard box. Various retainers, who looked in different stages of dilapidation, were on duty in different parts of the palace, and the officials as a whole presented a down-at-heel appearance, which was in marked contrast to that of the court officials in the ex-Sultan's time. We had hardly time to light our cigarettes when we were summoned to the room where the Caliph awaited us. Adnan Bey was present with His Majesty as a sort of watch-dog.

3. The Caliph received me cordially. He had grown a beard since I last saw him, a luxuriance of which testified to the efficacy of the prayers which I understand have been offered up in the mosques for its growth. His Majesty no longer had the smart and dapper appearance which characterised him when he was Crown Prince. His dress was somewhat slovenly and his boots were deplorable. An awkward silence reigned for several minutes, which I was eventually driven to break by enquiring after His Majesty's health. We then passed to banal topics, such as the weather and the view over the Bosphorus from the palace windows. I had to bear in mind that all allusion to political subjects must be strictly avoided, and it was evident to me that the Caliph was nervous lest any forbidden topic should be broached. The result was trying and even ludicrous. The brunt of the conversation fell on myself, and ranged over every conceivable subject except politics.

4. I enquired whether His Majesty had moved into the big palace, to which he replied in the affirmative, stating, however, that it was badly in need of repair. I asked whether His Majesty had composed any more music of late. The Caliph is devoted to music, and has written various compositions which have had more of a *succès d'estime* than a *succès de mérite*. He replied that he had not been able to devote much time to music lately, as he had been too busy. He made the same remark with regard to painting, for he has produced several large canvases in the past. I cannot believe that His Majesty's time is occupied with affairs of State, since he is now a figure-head, and so I could not help wondering whether the Nationalist Government discourages his artistic activities. His Majesty said that he still read a good deal, and was in fact at this moment reading Mr. Morgenthau's book.

5. We then spoke about the reconstruction of Stamboul and of the opportunity such the burnt-out quarters offered of building a really fine town. The Caliph

seemed to think that the present capacities of the port would not suffice for the future development of commerce, to which he looked forward. I then asked him what was the state of the health of the town, where there has recently been an epidemic of smallpox. The Caliph replied that he thought matters were better. As far as he was himself concerned, he stated that his doctor had forced him to be vaccinated twice running, though His Majesty declared, with a burst of frankness, "Je me fiche pas mal de ces choses-là." The question of vaccination led us somewhat naturally to the consideration of inoculation against various diseases, which enabled Adnan Bey, who till then had preserved an attitude of respectful humility, to take some part in the conversation in his capacity as a doctor. By an easy process we passed to the subject of Tut-ankh Amen's tomb and to the discussion as to whether it was justifiable to remove the mummy of the Pharaoh and exhibit it in a museum. The Caliph had no very definite ideas on this subject, but Adnan Bey informed us that there were mummies to be found in Asia Minor, as the practice of embalming was prevalent under the Seljucide dynasty. On hearing this the Caliph immediately said that specimens of these mummies ought to be brought to the Constantinople Museum.

6. After another lengthy pause I enquired whether the Angora Government meant to introduce summer time this year. This matter has hitherto been decided by the High Commissioners, who feel now, however, that it is an internal concern of the Turkish Government. The Caliph at once said that he hoped that his Government would not introduce summer time, which he described as "cette heure hypocrite." In using the expression "his Government," the Caliph made his first slip, and was afterwards careful to refer to "the Government." I said that I was surprised that the Turkish Government, which seemed to wish to march in the vanguard of civilisation, as it had introduced the dry régime, should not also introduce summer time. With regard to the dry régime, I said that I had noticed that subjects of dry States seemed to me to drink more than anybody else when outside their States. The Caliph said that the introduction of prohibition was very necessary in the interest of the Anatolian peasant, who was addicted to drinking the vile spirits provided by the Greeks. This was the nearest approach His Majesty got to making a remark of an international character. As an afterthought, he observed, somewhat unctuously, that the drinking of wine was prohibited by the Moslem religion.

7. The audience had now lasted nearly an hour, and I felt that I had completely exhausted my powers of conversation. I waited patiently and in silence for some time for the Caliph to terminate the audience, but as he did not do so I took the initiative by saying that I asked to be excused from detaining His Majesty any longer.

8. The audience left a somewhat depressing impression on my mind. As Crown Prince the Caliph had struck me as an intelligent and versatile man deeply interested in politics, although his ideas were perhaps a little wild. He is now debarred from any intervention in the affairs of State. He cannot be regarded as a Pope; he is, in fact, a mere puppet, whose acts are carefully watched by the Nationalist Government. The side-tracking of an intelligent man and the shabby ceremonial of which he is the centre cannot fail to impress the observer somewhat painfully.

I have, &c.

HORACE RUMBOLD.

High Commissioner.

E 2664/199/44] No. 425.

Sir H. Rumbold to the Marquess Curzon of Kedleston.—(Received March 12.)

(No. 147.)

My Lord, *Constantinople, March 7, 1923.*

I HAVE found it extremely difficult since my return to Constantinople to obtain any coherent general view of the political situation at Angora. This is due no less to the difficulty of obtaining sound information at so great a distance than to the indiscipline and even chaos which appear to prevail in the Grand National Assembly and to the unwillingness of many Deputies to make open confession of their true opinions. Certain internal questions are already the subject of acute discussion; the time when others of a vital nature must be thrashed out is, in the opinion of those concerned, sufficiently close for feeling to run high; and in the meanwhile the fact that peace has not been made keeps everything in a state of flux.

2. Mr. Henderson's despatches No. 1111 of the 11th December, No. 40 of the 17th January, No. 52 of the 20th January and No. 78 of the 2nd February will have given your Lordship some idea of the internal political situation up to the suspension of the Lausanne Conference. Into this situation has now been projected the question of treaty or no treaty, and the result has been to make confusion worse confounded. The internal and foreign questions react on each other enormously, and it is evident that the votes of many Deputies on the peace issue will be governed by their views as to how peace or war will affect the political or personal interests for which they stand in domestic affairs.

3. The personality of Mustafa Kemal has been so predominant that it is hardly an exaggeration to say that the main line of cleavage in the Assembly is that between his supporters and his opponents. It is, however, impossible to draw this line too definitely, as his personal prestige is still so great as to make it difficult even for opponents to criticise him openly. His two great slogans of "National Pact" and "National Sovereignty" (*alias* the "Fundamental Law") are cries that everyone must echo, though it is perfectly well known that many are prepared to see the National Pact interpreted with sufficient latitude to enable peace to be concluded, and that his extreme constitutional theories are strongly opposed by an even greater number of Deputies. On the latter question he loses no opportunity of speaking with the conviction of a fanatic. Personal sovereignty is anathema to him. On the question of peace or war his recent utterances have been much more guarded. He appears to [illegible] between the same sort of fanatical devotion to the letter of the National Pact and the knowledge that a composition with Europe is essential to the reorganisation of the country. He presents a singular combination of genuine patriotism, doctrinairism and personal arrogance.

4. The supporters of Mustafa Kemal may be divided into two sections, viz.: the Deputies who are devoted to his person to the extent of following him blindly in everything and the extremists whose support is conditional on his beating the National Pact down at all costs and flouting the wicked Powers of the West. These together appear to constitute what has come to be called the first group. The personal adherents are the more numerous and the more respectable. Their organ is the "Hakimiet-i-Millié." The rabid extremists are a small but noisy minority, far more under Russian influence than the Pasha himself. Their organ is the "Yeni Gyun," and its disreputable editor, Yunus Nadi, is a type of the class. They are violently anti-European and particularly anti British.

5. Mustafa Kemal's main organisation is the Defence of Rights Association. This, however, is not admittedly a political party, but is represented as being rather an association to organise all the forces of the nation in the endeavour to attain the fulfilment of the National Pact. In January the Pasha launched a campaign for the creation of a separate organisation for political purposes, to be called the People's Party, the underlying idea of which was apparently to combine under his leadership his personal adherents and those of the old Union and Progress leaders, to whom I shall come presently. As your Lordship is aware, he started on a combined military and electoral tour, which, however, he curtailed early in February in order to return to Angora.

6. The opponents of Mustafa Kemal appear to consist of several groups united more or less for the present by a common antagonism to his personal dictatorship and to certain elements in his internal policy. They consist of the followers of the old Union and Progress leaders, who appear to be pretty well organised, of monarchist and otherwise conservative factions, and of miscellaneous personal or political adversaries of the Pasha. Attempts have been made from time to time to bring the Unionists into the Kemalist fold by negotiation and by giving posts to the leaders. These efforts were renewed in January, and the idea of a fusion was apparently supported by some of the old Union and Progress leaders; but little real success was achieved despite the activities of persons like Kara Kemal Bey and others. At present it looks as though several of the leading Unionists were sitting on the fence, while the Unionist Opposition in the Assembly remains in being under the leadership of Kara Vassif Bey. Everything points to a reconstructed Committee of Union and Progress becoming the real effective Opposition to Mustafa Kemal, and very possibly the governing force in the country if and when peace is concluded.

7. The monarchist Conservative group, always an element in the Opposition to Mustafa Kemal, gained prominence in January owing to the publication of a pamphlet by one Shukri Khoja openly condemning the policy of separating the Sultanate from the Caliphate and destroying the former. This was a red rag to Mustafa Kemal, who

sought unsuccessfully to deprive Shukri Khoja of his parliamentary immunity in order that he should be prosecuted. The Opposition not only had this proposal thrown out, but secured after a struggle the adoption of the law on personal liberty summarised in my telegram No. 134 of the 2nd March.

8. Other prominent opponents of Mustafa Kemal are Sihabuddin Bey of Mersina, who has taken a leading part in all attacks on him since the latter part of 1921, and Hussein Avni Bey of Erzeroum; but I find it difficult at present to class these under party headings. The Opposition, as a whole, has come to be known as the "Second Group," and it has an organ in the "Tan" newspaper, established on the 19th January.

9. One hears also of "Independents," a name which has sometimes been applied to miscellaneous *khojas* and others of no strong political colour, but which has recently been applied to the alleged new group of military die-hard, opposed to peace, and drawn from all sections of the Assembly. Fevzi Pasha, the Chief of Staff, is sometimes spoken of as the leader and the soul of this group, but those who know most of this gentleman find it difficult to believe that he has enough personality to be a real leader. Another person mentioned in this connection is Kutchuk Jemal Pasha, who was once Minister of War in Constantinople, and who was dismissed from that post in January 1920 at the instance of the Allies, owing to his excessive Nationalist activities.

10. Probably the most notable personality in Angora after Mustafa Kemal is Reouf Bey, President of the Council. It is frequently alleged that there is no love lost between him and Mustafa Kemal, but he has been playing a very careful game, and I have not met anyone here who can say definitely what he stands for. It seems probable that in foreign politics he inclines towards peace on the basis of what was agreed with Ismet Pasha at Lausanne, and rediscension or reservation of the clauses still in dispute on the 4th February; it is more than possible that in home politics he leans discreetly towards his old friends of the Committee of Union and Progress.

11. Until Mustafa Kemal takes a strong line, it is difficult to foresee how things will shape in the Grand National Assembly as regards peace proposals. All that can be said is that there is a bad spirit in the Assembly; and that while the Government seem to have put forward proposals on the lines attributed to Reouf Bey in the preceding paragraph, they are doing little or nothing publicly to discountenance the common tendency to regard these proposals as being alternative to complete insistence on the National Pact, or to counteract such dangerous cries as, "No peace without Kara Agatch and Mosul." It is significant that within the last few days all the three leading Angora papers mentioned above have written against the Government proposals, sometimes on the ground that what Ismet agreed to cannot be accepted, sometimes on the ground that questions like those of Mosul and the economic and financial clauses must not be left open, but must be definitely decided to the satisfaction of Turkey before peace is signed.

12. There are two dangers in Mustafa Kemal's attitude, if he really stands for peace. One is that he may hedge too long and lose his power of getting the Assembly in hand. The other is that, while preferring peace, he may allow his personal ambition to prevail, and yield to the war party, rather than insist on a peace policy, one of the consequences of which would be that after peace was concluded the opposition to him would have much freer play than at present. It is some quarters it is rumoured that he really does stand for peace, but that he is giving the Assembly its head, because he simply means to make short work of it presently, close it down under the menace of troops which are faithful to him, and play the rôle of a Turkish Cromwell or Mussolini. I attach little credence to these rumours, but it is necessary to record them as they are obtaining increasing currency.

13. As for the Opposition, I do not think they have any united policy on the question of peace or war. I rather hope that the Unionists and the Monarchists will be, on the whole, on the side of peace, provided Turkey can hope for some further satisfaction on the disputed clauses. There is certainly one element among the old Unionist leaders, who lean strongly towards peace on that basis. This element is represented in Constantinople by the ex-generalissimo, Javid and Jahid, who are much mixed up with French financial interests. Jahid Bey has taken a very definite peace line in his paper, the "Tanin," during the last few weeks. He has conducted his campaign with no little courage, and has incurred the attacks of other papers both in Angora and here. Even as regards the economic clauses he has accused the Turkish delegation at Lausanne of mismanagement, and has suggested that a great deal of the difficulty could have been avoided by treating direct with the interests concerned, a suggestion in which it is not difficult to see French inspiration.

14. All the other Constantinople Turkish papers are fervently patriotic, but evidently too little informed as to what is passing at Angora to take definite lines. The most extravagant of them is the "Tevhid-i-Efkiar," which screams pan-Islamism. Papers like the "Wakt," which are more in touch with the Angora representatives here, are careful not to commit themselves too definitely. The "Wakt" itself, which is sometimes thought to enjoy some sort of official inspiration, varies a good deal. There has been an element of xenophobia in its recent utterances, particularly in an article on the unfortunate Greek decision to suspend the execution of the Exchange of Prisoners Agreement. The writer of this article, a Salonica crypto-Jew and an ex-Malta deportee named Ahmed Emin, sees in this an indication of the bad faith which may be expected of the Allies in the execution of any treaty which may be concluded.

I have, &c.
HORACE RUMBOLD,
High Commissioner.

E 2638/1/44] No. 426.

The Marquess of Crewe to the Marquess Curzon of Kedleston.—(Received March 12.)

No. 607.)
My Lord, *Paris, March 11, 1923.*

WITH a view to carrying out the instructions contained in your Lordship's despatch No. 751 of the 1st instant respecting the present validity of the Pact of the 5th September, 1914, I requested Mr. Phipps to inform M. de Peretti de la Rocca of its contents. This Mr. Phipps did to-day, and M. de Peretti promised to bring your Lordship's observations to the notice of M. Poincaré, who, owing to pressure of business before his departure for Brussels, was unable to receive Mr. Phipps.

M. de Peretti maintained that the arguments adduced by M. Poincaré as to the non-validity of the Pact were purely theoretical and were only intended to apply to the remote contingency which would arise should it be found to be quite impossible for the Allies to sign peace with Turkey at any future date.

I have, &c.
(For the Ambassador),
ERIC PHIPPS.

No. 427.

The Marquess of Crewe to the Marquess Curzon of Kedleston.—(Received March 12.)

(No. 279.) [By Bag.]
(Telegraphic.) *Paris, March 11, 1923.*

"TEMPS" discussing summary of reported Turkish counter-draft, suggests regards financial clauses that difficulty might be avoided if Turks settled questions involved by direct negotiations with interested private parties. Allied Governments cannot take initiative, but why should individuals concerned not do so What would they risk?

M. Gauvain repeats his gloomy prognostications of 8th March. The Turks propose changing the economic clauses which specially affect French interests; the French negotiators will capitulate on the principles, though they may be able to save their faces in the form, and the unfortunate private individual will be left to negotiate as best he may with the Turk direct. Having lost her pre-war influence in Turkey, it would be deplorable for France to turn the Hellenic race definitely against herself. The time has come to show Greece some signs of sympathy and to abandon the excessive reserve hitherto observed *vis-à-vis* the Revolutionary Government

Copies of the articles by despatch.

No. 428.

The Marquess of Crewe to the Marquess Curzon of Kedleston.—(Received March 12.)

(No. 281.) [By Bag.]
(Telegraphic.) *Paris, March 11, 1923.*

MY telegram No. 279.

I learn that "Pertinax" was assured at the Quai d'Orsay that British nationals had been given leave to open individual negotiations with Angora, the authority being a telegram from General Pellé. Quai d'Orsay also informed him that on the strength of this report similar permission was given to French nationals.

This morning's "Echo de Paris" remarks on British *démenti* as to individual negotiations, but adds that nevertheless information from Constantinople shows report to be well founded, and continues that on the French side economic and financial syndicates are preparing to engage in similar negotiations.

No. 429

The Marquess of Crewe to the Marquess Curzon of Kedleston.—(Received March 12.)

(No. 282.) [By Bag.]
(Telegraphic.) *Paris, March 11, 1923.*

M. DE PERETTI informed Mr. Phipps this morning that, according to a telegram received from General Pellé, the text of the draft treaty received from Angora contains far more serious modifications of the Allies' terms than the covering note had originally led him to suppose.

M. de Peretti's usual optimism in regard to Turkey seems to have deserted him, and he spoke somewhat despondently of the chances of a satisfactory settlement in the near future. He laid stress on the desirability of French and British concessionnaires (there are, according to him, no Italians) in Turkey coming to an agreement among themselves and then seeking to reach a settlement direct with the Turkish Government (see your Lordship's unnumbered despatch of 8th March and my telegram No. 281 of to-day); but he said that a further communication was being made to your Lordship on the subject by Comte de Saint-Aulaire. This plan need not, he observed, in any way delay the signature of peace, nor would it, he assured Mr. Phipps, be proceeded with unless your Lordship, after due consideration, agreed thereto.

No. 430.

Mr. Bentinck to the Marquess Curzon of Kedleston.—(Received March 12.)

(No. 86.)
(Telegraphic.) R. *Athens, March 12, 1923.*

REPORTED revival of Turkish demand for Greek indemnity has called forth chorus of indignation in the press, which unanimously states that, rather than pay, Greece will fight for what is for her a question of [? national] existence. Colonel Plastiras made a statement to the press that in no circumstances would Greece pay.

(Repeated to Constantinople.)

No. 431.

Mr. Bentinck to the Marquess Curzon of Kedleston.—(Received March 12.)

(No. 87.)
(Telegraphic.) *Athens, March 12, 1923*

MY immediately preceding telegram.

It seems to me obvious that any insistence by Turkey on such a demand will merely play into hands of war party and revive danger of desperate move by Greeks. In any case, payment is impossible in present state of Greek finances.

(Repeated to Constantinople.)

No. 432.

Mr. Bentinck to the Marquess Curzon of Kedleston.—(Received March 12.)

(No. 88. Secret.)
(Telegraphic.) *Athens, March 12, 1923.*

MY telegram No. 81 and Rome telegram No. 4.

Head of British naval mission informs me that Greek authorities have information that Italian steamer "Sibilla" was to leave Venice 10th March at 8 P.M. for Turkey with 150 tons of explosives and [? three] million rounds of rifle ammunition.

(Repeated to Constantinople and Rome.)

No. 433.

Sir H. Rumbold to the Marquess Curzon of Kedleston.—(Received March 12.)

(No. 161.)
(Telegraphic.) R. *Constantinople, March 12, 1923.*

MY telegram No. 156.

Cancel second sentence of paragraph beginning "nationality clauses."

No. 434.

Sir H. Rumbold to the Marquess Curzon of Kedleston.—(Received March 12.)

(No. 162.)
(Telegraphic.) R. *Constantinople, March 12, 1923.*

ATHENS telegram No. 85.

My colleagues and I feel we are unable to give a definite assurance in the sense desired.

We have, however, just received joint note from Angora Government, which after lengthy retrospect of the whole question of Greek exodus from Pontus, laying much stress on the fact that these refugees were allowed to leave only at the instance of the Allied and associated delegates at Lausanne and of High Commissioners at Constantinople, and rejecting suggestion that any pressure was being put on them to leave Anatolia, states departure of refugees assembled in Black Sea ports has now been stopped, and that orders have been given that Greeks in the interim will be refused travelling permits.

Note reaffirms that the best remedy for the situation is rapid removal of refugees to Greece, and particularly of those now assembled at Samsun.

Action taken by Angora Government appears satisfactory, and will, I hope, enable Greek Government at once to resume exchange of prisoners.

I cannot too strongly deprecate reprisals of nature mentioned in paragraph 2 of Mr. Bentinck's telegram.

(Repeated to Athens, No. 27.)

No 435

Sir H. Rumbold to the Marquess Curzon of Kedleston.—(Received March 12.)

(No 163)
(Telegraphic.) R. *Constantinople, March* 12, 1923.

MY telegram No. 142.

I think that regulations governing return of British subjects to Smyrna can now be relaxed to extent of granting visas to men having serious business interests or assurance of employment.

They will require Turkish visas, and should perhaps be warned that they will find conditions of life difficult and accommodation lacking

If you concur, I will inform Athens and Malta

No. 436.

The Marquess Curzon of Kedleston to His Majesty's Representatives at Paris (No 115) *and Rome (No.* 67).

(Telegraphic.) D. *Foreign Office, March* 12, 1923.

IN view of the length and importance of the Turkish counter-proposals and in order to preserve that complete Allied unity which the three Allied Governments agree to be essential, His Majesty's Government think it very desirable that there should be an early meeting of French, Italian and British experts to discuss the Turkish note. Object of meeting would be to arrive at an understanding (*a*) as to the answer to be made to the Turkish note, and (*b*) the line to be followed in regard to further negotiations with Turkey, and the place of meeting.

Please therefore invite Government to which you are accredited to send experts as soon as possible to London. French and Italian Governments will of course decide if their Ambassadors here should take part in discussions.

(Repeated to Athens, No. 35, and Constantinople, No. 75.)

No 437

The Marquess Curzon of Kedleston to Sir H. Rumbold (Constantinople).

(No. 76.)
(Telegraphic.) D *Foreign Office, March* 12, 1923.

FRENCH Government ask us to accept proposal to allow Turkish Government to enter into private negotiations with the various European concessionnaires at Constantinople and in Turkey with a view to conclude separate agreements with them, rather than incorporate a general settlement of such questions in the treaty with Turkey. French Ambassador in communicating this proposal gave no details as to number, nationality and importance of concessionnaires, but I gather that it is only arrangements made by these concessionnaires with Constantinople Government since the war, for which it is now desired to obtain Turkish Government's ratification. French Government think that this proposal will humour the Turks, but should such negotiations fail, their intention is to keep clauses in draft treaty, which deal with the point intact. If negotiations succeed, formal note of private arrangements reached would be taken in a special official agreement between Turkey and the Powers concerned, to be signed at the same time as the treaty, whereby Powers would retain right to intervene later on behalf of their concessionnaires if necessary.

I declined to accept proposal pending further examination, and I pointed out obvious disadvantages of treaty negotiations being delayed to await result of private pourparlers. I also emphasised international aspect of question.

If proposal is really confined to ratification of post armistice concessions by Constantinople Government, it will only meet Turkish objection to ante penultimate

paragraph of article 94. I am not aware what Belgian, Italian and French concessions come into this category. Only British concession affected would appear to be that of Constantinople Telephone Company, who are understood to have waived the claim to several hundred thousand pounds' worth of war damages in return for thirty-year prolongation of concession and reduction of percentage of royalties to be paid by company.

Unless arrangements made by Italian, Belgian and French concessionnaires with Constantinople Government since the armistice are numerous and complicated, no great objection need perhaps therefore be taken to French proposal from British point of view. Other negotiations could proceed concurrently with private negotiations of concessionnaires concerned at Constantinople.

It seems, however, much more likely that M. Poincaré's actual proposal is wider, and may contemplate settlement of main pre-war concessions and half-completed concessions covered by article 94 and possibly also railway arrangements under article 95 of draft treaty. In that case more important British interests would be involved, for example, the Smyrna–Aidin Railway Company, Golden Horn Docks and Quays Company, National Bank, Smyrna Gas Company and various mining concessions. French concessions affected would of course be larger still, such as Régie and the big pre-war French railway and harbour schemes. In this case it seems to me quite impossible to accept M. Poincaré's scheme owing to the indefinite delays involved.

Possible alternative which might perhaps be proposed to the French Government would be negotiation of a general article to be inserted in treaty on the lines suggested in your despatch No. 130 of 27th February, but relating only to concessions, and setting forth principles on which both post-armistice and pre-war concessions would be settled later between Turkish Government and concessionnaires. This might replace articles 94 and 95. Rest of economic clauses would stand subject to negotiated amendments. Board of Trade are now considering whether some less controversial statement and a different procedure safeguarding our interests could be framed in the place of your proposal, which might take nearly as long to negotiate as actual clauses of treaty.

They point out that in any case there are a certain number of the economic clauses to which Turks do not now object and others on which agreement could probably be quickly reached. Under your proposal and under any proposal to separate whole economic section from the treaty and deal with it independently, above-mentioned clauses would quite unnecessarily be taken out of present draft treaty.

Please telegraph your views after ascertaining, if possible, from your French colleague what M. Poincaré really has in mind.

(Addressed to Constantinople, No. 76; repeated to Paris (by bag), No. 116, and Rome, No. 68.)

No 438.

The Marquess Curzon of Kedleston to Sir H. Rumbold (Constantinople).

(No. 77.)
(Telegraphic.) *Foreign Office, March* 12, 1923.

PARIS telegram No. 291 of 11th March and my telegram No. 76 of 12th March: Private negotiations of Allied concessionnaires with Angora.

Do you know of any British nationals who have been given such permission or who are so negotiating?

I wish to be on firm ground in protesting against apparent misrepresentations of Quai d'Orsay. Please reply as soon as possible.

[E 2581/1045/44] No. 439.

The Marquess Curzon of Kedleston to the Marquis della Torretta.

Your Excellency, *Foreign Office, March* 12, 1923.

I HAVE the honour to acknowledge the receipt of your Excellency's note of the 16th ultimo, transmitting copy of a correspondence exchanged between the Italian Ambassador at Paris and M. Poincaré, relating to the co-operation of Italian and French financial groups in a syndicate to be formed for the purpose of carrying out the working and development of certain enterprises in Turkey.

2 Your Excellency has pointed out that the agreement recently concluded between the Italian and French Governments and embodied in that correspondence was drawn up with the express intention that it should be completed by the accession of Great Britain so as to form an agreement *à trois*, similar in this respect to the tripartite agreement which it is intended to replace, and you have expressed the desire to be informed of the views entertained by His Majesty's Government on the subject.

3. The matter has received the careful and sympathetic consideration of His Majesty's Government, and, while there appears to be nothing in the agreement to which objection can be taken from the British point of view, I feel bound none the less to point out very clearly to your Excellency that the established practice of His Majesty's Government is to allow to British financial and industrial firms and groups complete freedom to make their own combinations and arrangements and to choose their own spheres of activity. It would therefore not be possible, nor would it be proper, for His Majesty's Government to influence any British commercial groups to enter into engagements of any kind against their inclination or against what might appear to them to be their interest. The most that His Majesty's Government could undertake, in acceding to an arrangement such as that which forms the subject of your Excellency's note, would be to bring the agreement to the notice of British financial and commercial groups, leaving it to them to decide whether or not they desire to enter into negotiations with the syndicate to be created under the agreement. Your Excellency will recall that in the case of the British group formed under the tripartite agreement, the Smyrna Aidin Railway Company formed the pivot of British interests. It was consequently through that company that the British group was formed; and it would, therefore, under the proposed agreement, be a matter for that group to consider, in complete freedom, whether they would find it to their advantage and interest to co-operate with the syndicate in the furtherance of the objects defined in the agreement.

4. His Majesty's Government note with satisfaction the inclusion in the agreement of a provision to the effect that the syndicate is not entitled to claim exclusive diplomatic support in Turkey, since in the absence of such a provision they would have found it difficult to join in the proposed scheme.

5. I have consequently the honour to inform your Excellency that, subject to the above reservations and to the express condition that His Majesty's Government retain the right to give their support at any time to British companies or groups not in association with the syndicate in any application they may wish to make to the Turkish Government for concessions or contracts in any parts of the Turkish dominions, His Majesty's Government are prepared to accede to the agreement which forms the subject of your note. In so doing, His Majesty's Government understand that this agreement replaces the former tripartite agreement and the arrangement signed in Paris on the 25th March, 1922.

I have, &c.
CURZON OF KEDLESTON.

E 2726/1/44] No. 440.

Board of Trade to Foreign Office.—(Received March 13.)

Sir, *Board of Trade, March* 13, 1923.

I AM directed by the Board of Trade to acknowledge the receipt of your letter of the 5th March, transmitting copy of a despatch from His Majesty's High Commissioner at Constantinople, in which he suggests the procedure that might be adopted, having regard to the desire of the Turkish Government to reopen discussion of the economic clauses contained in the draft Treaty of Peace prepared at Lausanne.

The Board are of opinion that the Turkish Government would be no more disposed to accept the formula prepared by Sir H. Rumbold than the draft clauses themselves, as this formula appears to include by implication a number of points to which the Turkish Government are understood to have taken the greatest objection. Negotiations for agreement on a formula, if initiated on the basis of this draft, would therefore seem likely to prove as difficult as negotiations of actual economic clauses themselves, and Sir H. Rumbold's proposal would, moreover, be open to the added disadvantage that it contemplates that such negotiations should be followed by further prolonged negotiations of details between Turkey, on the one side, and the Allies as a whole on the other. Moreover, whilst there are large sections of the economic clauses which, so far as the Board are aware, have not encountered any substantial Turkish opposition, these non-controversial elements would be thrown back again into the melting-pot with others for further re-discussion with the Allies as a whole.

In the opinion of the Board, it is in every way preferable, if practicable, that the Turkish Government should be induced either (1) to put forward a definite counter-draft to the existing economic clauses; or (2) indicate the particular clauses to which they take exception and the nature of the objections they entertain thereto. If either of these courses were followed, it should be possible to narrow down the points of difficulty to a comparatively small number.

If, however, it should eventually prove impossible to prevent a reopening of the whole subject, and if it should be found expedient to arrive first at a general formula rather than specific clauses, then, in the opinion of the Board, it is essential that the subsequent working out of detailed agreements should not form the subject of negotiations between Turkey and the Allies as a whole, a process which is inevitably protracted and inconvenient, but should be left for each individual ally to arrange separately with Turkey, on the understanding, of course, that the benefit of all such separate agreements should be accorded to each other Allied Power unconditionally.

In case this should eventually prove the only practicable course—a contingency which the Board would view with great regret—the Board direct me to transmit to you herewith, for Lord Curzon's consideration, a revise of the draft formula prepared by Sir H. Rumbold.

I am, &c.
H. FOUNTAIN

Enclosure in No. 440.

Tentative Formula to Replace Economic Clauses of Treaty.

WITH a view to safeguard the acquired rights of Allied nationals having economic interests in Turkey and of Turkish nationals having economic interests in the territories of the other contracting Powers, bilateral agreements will as soon as possible be concluded between Turkey and each of the Allied Powers to determine the manner in which such acquired rights shall be restored or adapted to the new conditions produced by the events which have occurred since the 1st August, 1914.

2. The said agreements shall *inter alia* make provision for the following matters:—

(1.) The agreements will make provision for replacing Allied nationals in Turkey and Turkish nationals in the territories of the other contracting Powers in full and unencumbered possession of property rights and interests, of which they have been dispossessed since the 1st August, 1914, but which still

exist or can be identified. It will provide for the assessment of the value of such property rights and interests in cases in which they no longer exist or cannot be identified. Claims of Allied nationals against the Turkish Government dating from before the 1st August, 1914, will be left to form the subject of separate negotiations. The benefit of all arrangements embodied in the agreements regarding the property rights and interests dealt with under this heading will be extended to companies in which Allied or Turkish nationals respectively have a preponderating interest.

(2.) The agreements will determine to what extent contracts concluded previously between persons who became enemies as a result of the outbreak of war shall be maintained, cancelled or annulled. It will provide for such prolongation of all periods of prescription or limitation of right of action, including periods for the presentation of interest coupons, and periods connected with the presentation, acceptance, protesting and such like of negotiable instruments, as may be necessary to preserve the rights of the parties from the effect of the interruption of normal relations resulting from the war.

(3.) The agreements will provide for the revision or readaptation to the new conditions of contracts and conventions relative to concessions existing before the 29th October, 1914, in all cases in which the normal exploitation of such concessions has been interfered with as a result of events which have occurred since the outbreak of war. It will safeguard the rights of persons or companies who acquired definite rights in respect of concessions before the 29th October, 1914. It will confirm any arrangements already made between the persons or companies concerned and the Government exercising authority in Constantinople at the time for the revision or readaptation of concessions existing before the 29th October, 1914, subject to the right of Turkey to claim a reference to arbitration on the ground that such revision or readaptation was not reasonably required to make the concession accord with existing conditions. The benefits assured to Allied and Turkish nationals by any arrangements made under this heading will be extended to companies in which Allied or Turkish nationals respectively have a preponderating interest.

(4.) The agreements shall provide for the mutual re-establishment of rights of industrial, literary and artistic property acquired before the war, or which would have been acquired but for the war, and for the cancellation of pre-war licences and contracts in respect of such property between Allied and Turkish nationals, and shall regulate the régime applicable to any special measures taken during the war in respect of such property. It shall also regulate the rights and obligations of inhabitants and governments of territories detached from Turkey under the present treaty in respect of such property existing at the moment of transfer or re-established under the convention. It shall provide for the confirmation of patents and trade-marks granted since the 30th October, 1919, by the Government then exercising authority in Constantinople, with power to Turkey to claim a reference to arbitration if it considers that any such grant was improperly made.

(5.) The agreement will provide for the creation of mixed arbitral tribunals to adjudicate on any disputes which may arise regarding the application of the stipulations of the agreements in particular cases.

3. The high contracting parties agree to take no action calculated to prejudice the position of the persons or companies concerned pending the conclusion of the agreements contemplated in article 1. Should the agreements in question not be completed within six months of the coming into force of the present treaty, any questions on which it has not been possible to arrive at an agreement shall be referred for arbitration to a tribunal to be appointed by the Permanent Court of International Justice.

4. (Reproduce articles 112 and 113 of original Allied draft treaty.)

5. (Reproduce article 116 of original Allied draft treaty.)

6. Each of the agreements concluded on the above basis shall provide for the immediate and unconditional extension to each of the contracting Powers and its nationals, without request and without compensation, of all benefits accorded under any of the said agreements to any Power or its nationals.

No. 441.

Sir H. Rumbold to the Marquess Curzon of Kedleston.—(Received March 13.

(No. 161.)
(Telegraphic.) *Constantinople, March 12, 1923.*

MY telegram No. 135.

I consider moment has now come when we would no longer be justified in continuing to incur this heavy expense, and I would suggest ship be at once released.

I am, however, still examining with principal naval transport officer and military authorities what measures can be taken without financial commitment to provide for remote contingency of evacuation of British colony, and I am hopeful that rough and ready means will be devised, though these would of course entail great discomfort.

No. 442.

Sir H. Rumbold to the Marquess Curzon of Kedleston.—(Received March 13.)

(No. 166.)
(Telegraphic.) *Constantinople, March 12, 1923.*

MY telegram No. 157, last sentence.

If Allies decide that further discussion should take place in Constantinople, reasons for insisting that they should be regarded as merely continuation of Lausanne Conference are strengthened by consideration that Turks would otherwise almost certainly claim presidency, on the ground that new meeting was being held in their territory at their suggestion. If we represent it as continuation of Lausanne Conference held at Constantinople in deference to their expressed wish, we can make it a condition beforehand that presidency belongs to inviting Powers in accordance with Lausanne procedure.

Turkish presidency would be impossible both for reasons of dignity and practical conduct of business.

No. 443.

The Marquess of Crewe to the Marquess Curzon of Kedleston. (Received March 13.)

(No. 287.) (By Bag.)
(Telegraphic.) *Paris, March 12, 1923.*

M. TARDIEU, in "Echo national," writing of Turkish counter-draft, points out that it is France that will most suffer thereby. Members of the French Government have been heard to declare that it was your Lordship's precipitate departure from Lausanne on 4th February which prevented signature of treaty. Apart from facts that you had threatened to leave on no less than sixteen occasions, and that Allies had agreed on 31st January to fix a date by which Turks must give final answer, Turkish counter draft now shows that Turks accept those portions of treaty on which your Lordship stood firm, and that they reject those in regard to which French delegates showed lamentable weakness. If this is the only result of the shameful agreement of Angora and the humiliating retirement from Cilicia, is it worth while signing another agreement of the same sort with the Turks?

No. 444.

Sir H. Rumbold to the Marquess Curzon of Kedleston.—(*Received March* 13.)

(No. 167.)
(Telegraphic.) D. *Constantinople, March* 13, 1923.

MY telegram No. 139.

French High Commissioner tell me that he duly informed Adnan Bey that French Government are no longer in favour of reserving economic section of treaty for subsequent discussion. Adnan Bey took note of this communication and reported it to Angora, with result that there was a violent scene between Reouf Bey and Colonel Mougin, the former reproaching the latter with fact that French Government had gone [? omitted: back] on its word.

No. 445.

Sir H. Rumbold to the Marquess Curzon of Kedleston.—(*Received March* 13.)

(No. 168.)
(Telegraphic.) *Constantinople, March* 13, 1923.

ATHENS telegram No. 88.

I learn from very secret source that "Sibilla" will attempt to land her cargo at Mermeris or Makri or, less probably, at Mersina.

I have informed my Italian colleague.

(Repeated to Athens, No. 28, and Rome, No. 1.)

No. 446.

Mr. Kennard to the Marquess Curzon of Kedleston.—(*Received March* 13.)

(No. 51.)
(Telegraphic.) R *Rome, March* 13, 1923.

ANNOUNCEMENT in press that Turks demand restitution of Castellorizo has caused some severe comment in newspapers, which point out island is purely Greek and in no way Turkish.

No. 447.

The Marquess Curzon of Kedleston to Sir H. Rumbold (*Constantinople*).

(No. 80.)
(Telegraphic.) D. *Foreign Office, March* 13, 1923.

YOUR telegram No. 155 of 10th March: Offer of Greek navy.

Greek Legation have made a similar communication, and were informed in reply that offer could not be entertained.

Correspondence will reach you in print.

(Addressed to Constantinople, No. 80; repeated to Athens, No. 37, and Rome, No. 71.)

No. 448.

Mr. Bentinck to the Marquess Curzon of Kedleston.—(*Received March* 14.)

(No. 89.)
Telegraphic.) R. *Athens, March* 13, 1923.

MY telegram No. 85.

My French and Italian colleagues have since taken similar action.

Constantinople telegram No. 162.

I did not mention request for an assurance in my telegram as Greek Minister for Foreign Affairs quite understood that High Commissioner could not give one.

I read most of Sir H. Rumbold's telegram to head of political bureau, who called to see me to-day. He said that Ministerial Council would consider the matter this evening, and he hoped that decision would be to resume exchange of prisoners of war. He added that, provided there were no more than 4,000 or 5,000 Greeks at Samsun, they could be received if previously disinfected at Constantinople. As the two sanitary stations in Greece are already congested, no more could be sent there at present. As epidemics of smallpox and typhus, &c., now ravaging Greece were brought by refugees who arrived from Pontus, it would be a crime to bring any more until properly disinfected.

If refugees now at Constantinople number, as we believe, over 30,000, only way to make room for them [? groups omitted] equal number of Moslems now in Greece.

This, head of bureau explained, would not be measure of reprisal, but an absolute necessity, as during present torrential rains it is inhuman to condemn people to sleep in the streets.

(Repeated to Constantinople.)

No. 449.

Sir H. Rumbold to the Marquess Curzon of Kedleston.—(*Received March* 14.)

(No. 169.)
Telegraphic.) *Constantinople, March* 14, 1923.

YOUR telegram No. 77.

There is no foundation for statement that nationals have been authorised or encouraged to open individual negotiations with Angora, nor do I know of any responsible British concern which is doing so. As you are aware, there are always irresponsible persons of Bennett and Henry type who cooquet with Angora in hope of favours to come; my French colleague thinks "Pertinax" must have got hold of the wrong end of the stick, as he sent no such telegram as alleged. M. Steeg, Director-General of Imperial Ottoman Bank, thought of going to Angora, but French High Commissioner, acting on instructions from Paris, has deprecated his doing so.

My reply to your telegram No. 76 deals with more general aspect of question of individual negotiations.

No. 450.

Sir H. Rumbold to the Marquess Curzon of Kedleston.—(*Received March* 14.)

(No. 170.)
Telegraphic.) D. *Constantinople, March* 14, 1923.

YOUR telegram No. 76.

Surmise in fourth paragraph appears to be correct. My French colleague tells me that what is in mind of French Government is that interested concerns, acting

jointly, should negotiate with Angora Government regarding all their interests, including those dating from before the war. Such negotiations would affect Imperial Ottoman Bank, Régie, Quay Company, and possibly others. I agree that this proposal would involve very great delay. On my suggesting that objection as from myself, French High Commissioner concurred.

There would be more to be said in favour of proposal if it could be limited to convention revised by Constantinople Government since armistice. Number of cases would in that case be small. Angora Government demur to ante-penultimate paragraph of article 94 on two main grounds, namely, (1) they have strongest objection to recognise anything done by Constantinople Government, which they claim has had no lawful existence since March 1920; and (2) they are full of suspicion of what passed between Italians and Constantinople Government, though I do not believe that Italians got anything which could be claimed as definite concessions. Turks, in their anxiety to lessen difficulties with His Majesty's Government, might come to speedy agreement with telephone company, whose case is strong, if individual negotiations on this limited scale were timed to take place concurrently with fresh peace negotiations. I agree generally with paragraphs 7 and 8 of your telegram. It would certainly be more satisfactory to negotiate whole, or as much as possible, of economic clauses before treaty is signed, provided it can be done without great delay. I would, however, suggest that answer to Angora should be so worded as to enable us to fall back on scheme suggested in my despatch No. 130 in case of need. Its merit is not so much that it would make negotiations easier as regards substance (though this might prove to be the case) as that it would give formal satisfaction to Turks on question of reservation, to which they are much committed. By laying down too rigidly that whole economic section must be rediscussed in detail, we might find it difficult to bring them to fresh discussions. What I suggest is wording reply so that we could first take ground that clauses must be fully discussed, but if necessary offer to substitute something shorter and reserve details if that in due course should prove to be best way to get [group omitted] signed.

No. 451.

Sir H. Rumbold to the Marquess Curzon of Kedleston. (*Received March* 14.)

(No. 171).
(Telegraphic.) R. *Constantinople, March* 14, 1923.

ACTING Italian High Commissioner has read me a telegram from M. Arlotta from Lausanne to the effect that Turkish secretary left behind there had informed Secretary-General of Conference verbally that he had received instructions from Angora to remain at Lausanne pending reply of Allied Governments to Turkish note covering counter-draft of treaty.

No. 452.

Mr. Phipps to the Marquess Curzon of Kedleston.—(*Received March* 14.)

(No. 292.)
(Telegraphic.) D. *Paris, March* 14, 1923.

YOUR telegram No. 115.

French Government agree to your proposal, and are enquiring of Admiral Lacaze and M. Bompard whether they can proceed to London shortly to commence discussions.

No. 453.

Mr. Kennard to the Marquess Curzon of Kedleston. (*Received March* 14.)

(No. 52.)
(Telegraphic.) D. *Rome, March* 14, 1923.

YOUR telegram No. 67.

Italian Government accept invitation to send experts to London.

No. 454.

Mr. Kennard to the Marquess Curzon of Kedleston. (*Received March* 14.)

(No. 53.)
Telegraphic.) D. *Rome, March* 14, 1923.

MY immediately preceding telegram.

Formal note of acceptance from Italian Government now received. Note adds that participation of Ambassadors is considered desirable, and enquires date upon which meeting will take place.

No. 455.

The Marquess Curzon of Kedleston to Sir H. Rumbold (Constantinople).

No. 84.)
Telegraphic.) R. *Foreign Office, March* 14, 1923.

YOUR telegram No. 63 of 12th March: Passports for Smyrna.

I agree. To proposed warning, please add that applicants proceed entirely at their own risk.

Please inform Athens and Malta.

Passport authorities elsewhere will be informed from here.

No. 456.

The Marquess Curzon of Kedleston to Mr. Bentinck (Athens).

No. 38.)
(Telegraphic.) R. *Foreign Office, March* 14, 1923.

CONSTANTINOPLE telegram No. 162 of 12th March: Cessation of expulsions from Pontus.

If Greek Government have not already resumed exchange, please inform them that His Majesty's Government earnestly hope they will do so both in the interest of Greece and in the general interest of Allies.

(Repeated to Constantinople, No. 82.)

E 2845 21/44] No. 457.

Sir H. Rumbold to the Marquess Curzon of Kedleston.—(*Received March* 16

No. 142.)
My Lord, *Constantinople, March* 3, 1923.

I HAVE the honour to transmit to your Lordship herewith, copy of a letter from the British Chamber of Commerce [in regard to the future position of British

companies under the Turkish Law for the Registration of Foreign Companies enclosed in Mr. Henderson's despatch No. 1085 of the 4th December.

2. I understand that article 5 of the draft convention attached to the Lausanne Treaty respecting the régime applicable to foreigners in Turkey was inserted therein for the express purpose of protecting foreign companies from the contingencies now apprehended by the Chamber of Commerce. I should, however, be glad to be informed whether His Majesty's Government would, in fact, be prepared to give the certificate required under article 1 of the Turkish law to British companies, such as Messrs. Whittall, which though registered in England actually have their head office ("siège social") in Turkey.

I have, &c.
HORACE RUMBOLD,
High Commissioner.

Enclosure in No. 457.

The British Chamber of Commerce of Turkey and the Balkan States to Sir H. Rumbold.

Sir, *Constantinople, February 28, 1923.*

I HAVE the honour to inform your Excellency that, relative to the Turkish law concerning the registration of foreign companies, the following resolutions were passed at a quarterly meeting of the members of the Chamber held this afternoon :—

"Resolved, to call the attention of His Majesty's High Commissioner to the fact that under the new Law for the Registration of Foreign Companies in Turkey (articles 1 and 15)—and, unless protection is afforded them in the treaty to be signed—a large number of British limited liability companies established in Turkey, whose registered offices are in England, but whose administrative board—"siège social"—(article 1) sits in Turkey, and who, therefore, could not procure the certificate, and also all companies whose largest volume of trade (article 15) is in Turkey, will be faced with the alternative of either seeing their businesses closed down by the Turkish Government or of becoming Ottoman companies."

"Resolved, to petition His Majesty's High Commissioner that under the Treaty of Peace to be signed with Turkey there shall exist a clause or clauses which (*a*) will ensure the enjoyment by all British limited liability companies—whether with registered offices or head offices in England, and whatever the percentage of the volume of their business in Turkey may be—of the full trading rights and privileges secured under the treaty, and (*b*) will render it impossible for the Turkish Government—whether under article 1 or 15, or any other article of the present law, or by further legislation or otherwise—to oblige any British limited liability company, the majority of whose shares are British-held and the majority of whose directors are British, and whose shares are not issued to the public in Turkey, to become an Ottoman company, or to be interfered with in their legitimate business operations."

It was understood at the meeting that Annex 5 to the proposed treaty submitted at Lausanne covers in some way the status of British companies.

In submitting these resolutions I beg such action as your Excellency may deem necessary in the interests of British companies trading in Turkey.

I have, &c.
F. DOUGLAS-WATSON,
Vice-Chairman.

E 2800/1/44] No. 458.

Sir H. Rumbold to the Marquess Curzon of Kedleston.—(Received March 15.)

(No. 154.)

My Lord, *Constantinople, March 9, 1923.*

I HAVE the honour to transmit to your Lordship herewith, with reference to my telegram No. 153 of to-day's date, the original note from Ismet Pasha and Turkish counter-draft of the Lausanne Treaty, which was handed to me this afternoon at 5·15 P.M. by Adnan Bey.

In view of the urgency of the matter, I am sending this communication to your Lordship by special messenger, and am making my comments thereon by telegraph.

I have, &c.
HORACE RUMBOLD,
High Commissioner.

Enclosure 1 in No. 458.

Ismet Pasha to the Marquess Curzon of Kedleston.

Excellence, *Angora, le 8 mars* 1923.

J'AI l'honneur de transmettre ci-joint à votre Excellence les modifications proposées par mon Gouvernement au projet de Traité de Paix ainsi qu'aux projets de conventions annexes remis à Lausanne par les délégations des Puissances alliées à la délégation turque.

Avant d'exposer les considérations sur lesquelles se base mon Gouvernement pour demander ces modifications, je tiens à résumer succinctement les événements qui ont précédé et suivi le départ de Lausanne des différentes délégations.

Les Puissances alliées avaient remis à la délégation turque le projet de Traité de Paix le 31 janvier 1923. La délégation turque avait demandé un délai de huit jours pour étudier ce projet et faire connaître sa réponse. Son Excellence le président de la délégation britannique avait déclaré que ses occupations en Angleterre ne lui permettaient pas de rester encore une semaine à Lausanne et prié la délégation turque de donner sa réponse au bout de quatre jours. Les représentants de la Turquie, tout en faisant remarquer que ce délai était absolument insuffisant pour examiner un projet contenant plus d'une centaine de pages, ont néanmoins promis de s'efforcer à satisfaire le désir de la délégation britannique, sous réserve de profiter de la plénitude du délai qu'ils ont demandé, si toutefois ils ne parvenaient pas à terminer leur réponse à la date proposée. La délégation turque n'a pas été libre de consacrer ces quatre jours entièrement à l'étude du projet; en effet, la moitié de la journée du 1er février fut absorbée par la réunion de la Commission des Détroits, tandis que pendant les trois jours suivants elle a dû se réunir avec les délégations alliées.

La délégation britannique ayant irrévocablement décidée de quitter Lausanne le 4 février, la délégation turque a cru devoir faire dans l'intérêt de la paix mondiale un dernier effort. Par sa déclaration du 4 février 1923, elle a fait remarquer aux délégations alliées que grâce aux négociations et échanges de vues qui ont eu lieu à la Conférence de Lausanne, on était arrivée en ce qui concerne les questions fondamentales à un accord suffisant pour établir la paix. Par suite des concessions que la délégation turque venait de faire en acceptant la frontière occidentale de la Thrace telle qu'elle fut proposée par les Puissances alliées; en accédant, moyennant certaines conditions équitables acceptées d'ailleurs par la délégation britannique, au point de vue du Gouvernement anglais en ce qui concerne les terrains de sépultures d'Anzac; en agréant la proposition d'établir une administration locale dans les îles d'Imbros et de Ténédos et celle relative aux îles du Dodécanèse, bien que cette dernière question n'eût fait jusque-là l'objet d'aucune discussion; en consentant à l'exclusion du programme de la conférence de la question de Mossoul pour qu'elle soit résolue à l'amiable dans l'espace d'une année, entre la Turquie et la Grande-Bretagne, enfin,

en énumérant les autres questions territoriales ainsi que celles d'ordre financier, sanitaire, judiciaire, et autres sur lesquelles une unité de vues s'était déjà établie ou un rapprochement s'était produit après les dernières propositions de la délégation turque, cette déclaration concluait qu'il ne restait aucun obstacle sérieux à la signature de la paix. Dans cet ordre d'idées, la délégation turque proposait que ces questions essentielles qui sont d'ailleurs celles qui forment les éléments constitutifs de tout traité normal de paix, fussent immédiatement signées, les négociations devant continuer sur les points restés en suspens. Ainsi la délégation turque, ayant employé toute sa bonne volonté et consenti à tous les sacrifices compatibles avec la souveraineté de la Turquie, faisait appel tant aux représentants alliés qu'à l'opinion publique mondiale devant lesquels elle se libérait, à juste titre, de toute responsabilité si malgré tous ses efforts, la paix ne serait pas encore réalisée.

A la réunion qui eut lieu dans l'après-midi du 4 février les délégations alliées insistèrent sur la signature tel quel, du projet qu'elles avaient préparé sans la participation de la délégation turque, en consentant à ce que celle-ci pût formuler des réserves sur cinq articles et une annexe seulement, articles et annexe ne représentant d'ailleurs qu'un intérêt secondaire.

Toutes les questions y compris les questions économiques restées en litige, ainsi que celles qui n'avaient jamais figuré dans les ordres du jour de la conférence ou encore celles qui furent introduites dans le traité sous une forme entièrement différente de celle qui avait été établie d'un commun accord dans les sous-commissions, tel par exemple le cabotage, devaient, sans discussion ni réserve, être signées par les délégués turcs. Ce procédé consistant à dicter les conditions de paix à la Turquie à laquelle on avait maintes fois déclaré qu'elle serait traitée sur un pied d'égalité avec les autres Puissances contractantes, n'a pas abouti à un résultat. La délégation britannique est partie de Lausanne immédiatement après la séance. Les autres délégations suivirent le lendemain et le jour suivant son exemple.

Après des négociations, qui ont duré deux mois et demi et qui ont permis de trouver pour bien des questions une solution admise de part et d'autre, si l'on avait fait droit à la juste demande de la Turquie concernant le court délai qu'elle a demandé et si l'on ne s'était pas surtout départi, à la dernière phase de la conférence, de la procédure régulière qui avait donné de si bons résultats, la paix aurait déjà été conclue pour le plus grand bien de toutes les nations.

Si depuis le 4 février dernier les hostilités n'ont pas recommencé, il faut l'attribuer en premier lieu à la volonté de paix témoignée par le peuple et le Gouvernement turcs.

Si le texte du projet avait été arrêté d'un commun accord, comme cela était convenu dès le début, la plupart des amendements qui y figurent actuellement n'auraient pas eu de raison d'être étant donné que les textes auxquels elles se rapportent auraient été conçus de manière à répondre au point de vue commun des parties contractantes, et ce d'autant plus qu'un grand nombre de modifications concernent plutôt la rédaction.

Pour faciliter l'étude des modifications demandées, le projet est écrit sur deux colonnes, celle de gauche contient le texte original des Alliés, les parties supprimées ou modifiées étant soulignées, tandis que sur la colonne de droite est porté le texte amendé, les parties soulignées représentant les modifications ou adjonctions.

En ce qui concerne la Partie I (Clauses politiques), comme il ressort de l'examen du projet ci-joint, il n'y a aucune modification de fond. Les questions territoriales sont réglées conformément aux propositions des Puissances alliées.

Si la Turquie a cru devoir demander que les îlots inhabités de Merkeb dépendant de Ténédos suivent le sort de ce dernier, si elle a demandé que la petite île de Castellorizo qui, vu sa proximité au littoral turc avait été maintenue par la décision des grandes Puissances en 1914 avec les îles d'Imbros et de Ténédos sous la souveraineté turque, reste également sous la même souveraineté; enfin, si elle a demandé qu'au lieu de la rive gauche, la ligne de thalweg de la Maritza forme la frontière de la Thrace orientale, elle ne pense pas avoir fait des demandes qui puissent être considérées comme inéquitables, ou contraires aux principes généralement admis dans la fixation des frontières, ou encore aux vues manifestées par les Puissances alliées elles-mêmes. Toutes les autres modifications au sujet des clauses territoriales ou politiques se rapportent, ou à la rédaction, ou à des questions de détail ne pouvant influencer la solution des questions fondamentales adoptées d'un commun accord.

Pour ce qui est de la Partie II (Clauses financières), les Puissances alliées avant elles-mêmes accepté au dernier moment la répartition du capital nominal de la dette

publique ottomane, l'amendement apporté à l'article 46 n'est qu'une rectification en conséquence.

Etant donné que les relations entre le Gouvernement turc et l'Administration de la Dette publique sont d'ordre strictement intérieur, l'article 47 relatif à une entente à intervenir entre la Turquie et le Conseil de la Dette ne pourrait figurer dans le Traité de Paix.

Les îles de Dodécanèse et les îles attribuées en vertu de l'article 12 à la Grèce se trouvent dans une situation de fait et de droit presque identique. Dès l'instant que les premières, bien qu'elles seront attribuées à l'Italie par le Traité de Paix à intervenir, participent aux dettes ottomanes antérieures au 17 octobre 1912, les secondes doivent à plus forte raison prendre une quote-part des mêmes dettes et non de celles existant au 1er novembre 1914 comme il est prévu au projet des Alliés. Dans le même ordre d'idées, les annuités, dues par ces deux groupes d'îles restées depuis une dizaine d'années sous l'occupation des Puissances auxquelles elles seraient attribuées aujourd'hui et qui ont intégralement profité de leurs revenus, devraient être exigibles, non à partir de la mise en vigueur dudit traité, mais bien à partir d'une date se rapprochant de leur occupation. C'est ainsi que pour les îles de Dodécanèse la date du 7 octobre 1912, c'est-à-dire à peu près celle du Traité de Lausanne et pour les autres îles celle du Traité d'Athènes sont adoptées comme point de départ. Les articles 48 et 52 sont amendés en conséquence.

Les emprunts contractés en vue de la construction de voies ferrées ont de tout temps figuré parmi les dettes à répartir entre la Turquie et les territoires détachés. La Commission financière réunie à Paris après la guerre balkanique n'avait soulevé aucune objection à ce sujet. Dans le projet de Sèvres rédigé sans aucune participation de la Turquie, les Puissances alliées n'avaient non plus hésité à inclure dans le tableau de la dette publique ottomane les dettes en questions. Or, soumettre à l'arbitrage un principe consacré à maintes reprises par les Puissances elles-mêmes, lèsera énormément les intérêts de la Turquie, laquelle, par suite de la remise à plus tard de la répartition des dettes prévue au Traité de Berlin et de l'exclusion de cette même répartition d'un grand nombre de dettes, tel par exemple l'emprunt intérieur, a déjà assumé de très lourdes charges financières. Elle ne pourrait donc consentir à ce que l'élimination du tableau de dettes des charges relatives aux lignes de Chemins de fer de Bagdad, de Soma-Panderma et de Hodeida-Sanaa puisse être mise en discussion dans un tribunal d'arbitrage. C'est pour ces motifs que l'article 50 ainsi que l'Annexe II aux Clauses financières sont supprimés.

Les Puissances alliées conviennent que le règlement des annuités arriérées incombant aux Etats copartageant la dette publique ottomane autres que la Turquie, soit effectué sans intérêt dans le délai de vingt années à compter de la mise en vigueur du Traité de Paix. Il n'y aurait aucune raison pour qu'on réserve à la Turquie un traitement inégal à cet effet. De plus, la Turquie ayant indûment réglé la majeure partie des services d'intérêt et d'amortissement des quotes-parts afférentes aux Etats susmentionnés, rien ne serait plus juste que de demander que, jusqu'à concurrence des sommes ainsi payées par elle, les annuités arriérées à payer par ces Etats soient affectées au règlement des annuités arriérées de la Turquie. D'ailleurs, étant donné le règlement, dans le sens indiqué, des annuités arriérées, il n'y aurait pas lieu de prévoir une solution quelconque pour les revenus affectés au service de la dette publique ottomane qui n'auraient pas encore été versés. La modification de l'article 53 et la suppression de l'article 54 sont dues aux considérations précédentes, alors que l'élimination du premier paragraphe de l'article 56 relatif au maintien du décret de Mouharrem est déjà agréée par les Puissances alliées.

La note explicative de l'Annexe I aux Clauses financières, concernant la monnaie dans laquelle le paiement des intérêts et de l'amortissement des dettes devrait être effectué, doit être supprimé du projet pour deux raisons importantes :

1 Etant donnée la dévaluation de la devise turque, il y a une différence énorme entre la valeur du papier monnaie turc et celle des papiers des diverses Puissances alliées, ce qui mettrait la Turquie dans l'impossibilité de payer les annuités de la dette publique ottomane restant à sa charge, indistinctement dans la monnaie turque ou dans celle desdites Puissances, comme autrefois;

2 Comme il a été observé plus haut à maintes occasions, les relations du Gouvernement turc avec ses créanciers avant un caractère privé, de pareilles dispositions ne sauraient guère trouver place dans un acte international

Les Puissances alliées avaient renoncé au cours des réunions des deux derniers jours à leur demande relative au payement par la Turquie de 12,000,000 de livres turques or contre la renonciation par celle-ci à ses créances résultant tant du transfert consenti par l'Allemagne et l'Autriche en vertu des Traités de Paix de Versailles et de Saint-Germain, que des versements effectués pour les navires de guerre autrefois commandés en Angleterre. Par conséquent, la Section II des Clauses financières relative aux réparations fut supprimée à l'exclusion de l'article 57 adapté au nouvel arrangement et de l'article 58 touchant la réparation des dommages causés en Turquie par l'armée et les autorités helléniques.

La Partie III (Clauses économiques) allant de l'article 71 à l'article 117 inclus contient bien des questions sur lesquelles l'accord n'avait pu encore être établi entre les représentants turcs et alliés. Le règlement de ces questions nécessitant un échange de vues entre les Etats intéressés, le Gouvernement de la grande Assemblée nationale de Turquie estime nécessaire de les disjoindre du Traité de Paix pour continuer à part leur négociation.

La Partie IV (Voies de Communications et Questions sanitaires) est acceptée à l'exception de quelques paragraphes des articles 129 et 130 concernant la constitution et les attributions d'un comité sanitaire des Détroits.

Les trois conseillers que la Turquie se propose de nommer à l'Administration sanitaire des Frontières, parmi les médecins spécialistes européens, pourraient rendre des services importants à cette administration.

Les deux premières sections de la Partie V au sujet des prisonniers de guerre et des sépultures sont intégralement acceptées; la troisième section ne comporte pas de modifications essentielles méritant d'être signalées.

Les conventions concernant le régime des Détroits et les frontières de Thrace, à l'exception de l'article 4 de cette dernière, supprimé par les Alliés, sont entièrement maintenues.

Pour ce qui est de la convention relative au régime des étrangers en Turquie, il y a lieu de relever en premier lieu que cette convention devrait porte plutôt le titre de " Convention d'Etablissement entre la Turquie et les Puissances alliées " et avoir pour objet non seulement la condition des ressortissants de ces Puissances en Turquie mais en même temps celle des citoyens turcs dans les territoires de ces Puissances.

Toutes les modifications que le Gouvernement de la grande Assemblée nationale a cru devoir introduire dans cette convention sont inspirées des considérations suivantes:

1. L'abrogation définitive des Capitulations est reconnue par les Puissances alliées;
2. Cette reconnaissance entraine comme conséquence immédiate la nécessité de conformer toutes les relations entre la Turquie et les pays alliés aux exigence des règles du droit international général et de la pratique généralement suivie entre les nations indépendantes;
3. D'après les règles et pratiques internationales, les conditions qui régissent l'accès et le séjour des ressortissants d'un Etat sur les territoires d'un autre Etat, leur régime fiscal ainsi que leur situation judiciaire devant les tribunaux, dans ces territoires, sont réglées par des conventions conclues pour une durée déterminée sur la base de réciprocité ou du traitement, à titre réciproque, de la nation la plus favorisée.

Le projet de convention remis par les Puissances alliées ne tient aucun compte des principes susénoncés. En effet, le chapitre (I), concernant l'accès et le séjour, n'étant limité par aucune durée, n'ayant pour objet que le sort unilatéral des ressortissants alliés sur le territoire turc et enfin écartant toute conception de réciprocité en faveur des ressortissants turcs sur les territoires des Puissances alliées, présente tous les caractères d'une véritable capitulation. La sincérité des Puissances alliées, quand elles déclarent reconnaitre l'abrogation des Capitulations et respecter l'indépendance de la nation turque, exige nécessairement qu'elles ne veuillent obtenir de la Turquie des concessions qu'elle ne saurait accorder à celles-ci ni chercher à créer une situation qui n'existe nulle part.

Le Gouvernement de la grande Assemblée nationale de Turquie croit qu'il est à peine nécessaire d'ajouter que les retouches faites à la Convention d'Etablissement ont pour but de lui imprimer le caractère normal d'une convention de ce genre, de sorte que le texte amendé ne contient aucune disposition qui ne soit consacrée par la pratique des nations.

La Convention commerciale et la Déclaration sur l'Amnistie ne comportent

aucune changement essentiel qui n'ait été discuté entre les deux parties ou agréé par les Puissances alliées, la plupart des amendements se rapportant, comme dans les autres cas, soit aux questions d'une importance secondaire, soit à la rédaction.

Le texte de la déclaration qui sera faite par la Turquie concernant l'engagement pour une durée de cinq années des conseillers légistes européens, est maintenu dans la forme arrêtée d'un commun accord à la dernière heure avec les Alliés.

En outre, je crois devoir rappeler qu'avec la conclusion de la paix les navires de guerre turcs internés et les armes et munitions gardées en dépôt par les Puissances alliées doivent être restitués à la Turquie. Le bien-fondé de cette demande ayant d'ailleurs été reconnu par les délégations alliées lors de négociations de Lausanne, l'adjonction au Traité de Paix d'une déclaration contenant l'engagement des Puissances alliées à cet égard avait été décidé.

Les explications qui précèdent mettent en évidence encore une fois qu'entre les vues du Gouvernement de la grande Assemblée nationale de Turquie et celles des Puissances alliées il ne subsiste aucune divergence profonde de nature à empêcher le rétablissement des relations pacifiques entre leurs pays respectifs.

En ouvrant les Détroits en temps de paix comme en temps de guerre au pavillon de toutes les nations amies et en consentant à la création de zones démilitarisées, au grand préjudice de la défense de ses territoires; en renonçant, en faveur des Puissances alliées, à ses droits sur bien des îles ayant une importance stratégique pour la protection des côtes de l'Asie Mineure; en abandonnant ses droits sur Karagatch, au grand détriment de la vie économique d'Andrinople; en concédant aux Puissances alliées la jouissance des terrains de sépulture situés dans la péninsule de Gallipoli par déférence pour les sentiments de piété nourris par leurs nations à l'égard des soldats tombés sur les champs de bataille; en acceptant les dispositions relatives aux droits des minorités non musulmanes; en n'insistant pas actuellement, tout en réservant ses droits à ce sujet, sur l'insertion au tableau de la dette publique ottomane à répartir, des dettes de l'Empire ottoman existant à la date du Traité de Berlin, bien que cette répartition fût solennellement acceptée par les grandes Puissances, en admettant également que bien des charges financières de l'Empire ottoman telles que celles résultant de l'emprunt intérieur, des dettes flottantes, &c., ne figurent pas dans le tableau susmentionné; en se désistant de sa demande relative au respect du droit de la Turquie sur les biens privés de l'Etat situés sur les territoires détachés; en admettant l'engagement pour une durée de cinq années de conseillers légistes choisis sur une liste dressée par la Cour permanente de Justice internationale, ainsi que de médecins spécialistes européens comme conseillers sanitaires; en s'efforçant, enfin, de trouver pour chaque question intéressant particulièrement les alliées une solution entrant autant que possible dans leurs vues, le Gouvernement de la grande Assemblée nationale de Turquie se trouve avoir fait toutes les concessions en son pouvoir dans l'intérêt de la paix.

Mon Gouvernement espère que si les Puissances alliées sont également animées des sentiments pacifiques dont la Turquie n'a cessé de faire preuve notamment durant les derniers trois mois, une conférence qui se réunirait dans une ville quelconque de l'Europe, ou préférablement à Constantinople, pourrait, dans l'espace de deux semaines, consigner dans un Traité de Paix les questions énumérées ci-dessus et au sujet desquelles les négociations poursuivies à Lausanne ont eu pour résultat, soit d'établir une concordance de vues, soit de créer un rapprochement entre les manières de voir de la Turquie et des Puissances alliées.

Le Gouvernement de la grande Assemblée nationale de Turquie, considérant qu'il est d'un devoir impératif pour toutes les parties intéressées d'éliminer les facteurs pouvant mettre de nouveau en danger la tranquillité du monde et d'empêcher qu'au lieu des relations pacifiques et normales désirées par tous les peuples, les horreurs des dernières années ne se reproduisent encore une fois par suite d'une nouvelle conflagration, prie les Puissances alliées de bien vouloir lui faire connaitre leur réponse dans le plus bref délai possible.

Veuillez agréer, &c.

Le Ministre des Affaires étrangères, et
Président de la Délégation turque,
M. ISMET.

Enclosure 2 in No. 458.

Allied Draft Treaty of January 31, 1923.

PROJET D'ACTE FINAL.

Les gouvernements de l'Empire britannique, de la France et de l'Italie, d'accord avec le Gouvernement du Japon, soucieux de rétablir définitivement la paix en Orient, ayant convié d'une part la Grèce, la Roumanie, l'Etat serbe-croate-slovène et aussi les Etats-Unis d'Amérique, et d'autre part la Turquie, à examiner en commun les dispositions propres à atteindre un résultat également souhaité par toutes les Nations;

Ayant estimé, par ailleurs, que parmi les sujets qui se trouveront devoir être traités à cette Conférence la question des Détroits devra être examinée spécialement, en invitant la Bulgarie et la Russie, Puissances riveraines de la Mer Noire à participer aux négociations et aux décisions qui seraient adoptées;

Et ayant décidé d'admettre les tierces Puissances à faire connaître à la Conférence, soit oralement soit par écrit, mais sans participer aux débats, leurs vues sur les questions mettant directement en cause leurs intérêts, tout en reconnaissant que, parmi ces Puissances, celles qui ont combattu pendant la dernière guerre aux côtés de l'Empire britannique, de la France, de l'Italie, et du Japon, seraient admises à participer aux discussions des questions économiques et financières;

En conséquence, les soussignés se sont assemblés à Lausanne et, à la suite de réunions tenues du 20 novembre 1922 au .... 1923, les actes ci-après énumérés ont été arrêtés :

I. Traité de paix et Déclaration annexe.
II. Convention concernant le régime des Détroits.
III. Convention concernant les frontières de Thrace;
IV. Convention relative *au régime des Etrangers en Turquie*, et Déclaration relative à l'administration de la justice en Turquie.
V. Déclaration relative à la participation de l'Albanie au paiement de la Dette publique ottomane;
VI. Convention relative *au régime du commerce avec* la Turquie;
VII. Déclaration relative à l'amnistie;
VIII. Convention concernant l'échange des populations grecques et turques et Protocole annexe;

Turkish Counter-Proposals of March 8, 1923.

PROJET D'ACTE FINAL.

Les Gouvernements de l'Empire britannique, de la France et de l'Italie, d'accord avec le Gouvernement du Japon, soucieux de rétablir définitivement la paix en Orient, ayant convié d'une part la Grèce, la Roumanie, l'Etat Serbe-Croate Slovène et aussi les Etats-Unis d'Amérique, et d'autre part la Turquie, à examiner en commun les dispositions propres à atteindre un résultat également souhaité par toutes les nations;

Ayant estimé, par ailleurs, que parmi les sujets qui se trouveront devoir être traités à cette Conférence la question des Détroits devra être examinée spécialement, en invitant la Bulgarie et la Russie, Puissances riveraines de la Mer Noire à participer aux négociations et aux décisions qui seraient adoptées;

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I. Traité de paix et Déclaration annexe;
II. Convention concernant le régime des Détroits;
III. Convention concernant les frontières de Thrace;
IV. Convention relative *à l'établissement et à la Compétence judiciaire entre la Turquie et les Puissances Alliées*;
V. Déclaration relative à la participation de l'Albanie au paiement de la Dette Publique Ottomane;
VI. Convention *Commerciale entre* la Turquie *et les Puissances Alliées*;
VII. Déclaration relative à l'amnistie;
VIII. Convention concernant l'échange des populations grecques et turques et Protocole annexe;

Allied Draft Treaty of January 31, 1923.

IX. Accord gréco-turc sur la restitution et l'échange des prisonniers de guerre et des internés civils.

En foi de quoi les soussignés ont apposé leurs signatures et leurs cachets au bas du présent Acte.

Fait à Lausanne le .... mil neuf cent vingt-trois en un seul exemplaire qui sera déposé dans les archives du gouvernement de la République française et dont les extraits certifiés conformes seront délivrés à toutes les Puissances représentées à la Conférence.

.....
.....

(Signatures, sans indication de pays.)

Turkish Counter-Proposals of March 8, 1923.

IX. Accord gréco-turc sur la restitution et l'échange des prisonniers de guerre et des internés civils.

Document No. I of Final Act.

PROJET DE TRAITÉ DE PAIX.

L'Empire Britannique, la France, l'Italie, le Japon, la Grèce, la Roumanie, l'Etat Serbe-Croat-Slovène, d'une part, et la Turquie d'autre part;

Animés du même désir de mettre fin définitivement à l'état de guerre qui, depuis 1914, a troublé l'Orient,

Et soucieux de rétablir entre eux les relations d'amitié et de commerce nécessaires au bien-être commun de leurs nations respectives,

Ont décidé de conclure un Traité à cet effet et ont désigné pour leurs Plénipotentiaires, savoir

.....

Lesquels, après avoir exhibé leurs pleins pouvoirs reconnus en bonne et due forme, ont convenu des dispositions suivantes :

PARTIE I.

CLAUSES POLITIQUES.

Article 1er.

A dater de la mise en vigueur du présent Traité, l'état de paix sera définitivement rétabli entre l'Empire britannique, la France, l'Italie, le Japon, la Grèce, la Roumanie, l'Etat Serbe-Croate-Slovène d'une part et la Turquie d'autre part ainsi qu'entre leurs ressortissants respectifs.

De part et d'autre il y aura relations officielles et, sur les territoires respectifs, les agents diplomatiques et consulaires

PROJET DE TRAITÉ DE PAIX

(Maintenu.)

PARTIE I.

CLAUSES POLITIQUES.

Article .

A dater de la mise en vigueur du présent Traité, l'état de paix sera définitivement rétabli entre l'Empire britannique, la France, l'Italie, le Japon, la Grèce, la Roumanie, l'Etat Serbe-Croate-Slovène d'une part et la Turquie d'autre part ainsi qu'entre leurs ressortissants respectifs.

De part et d'autre il y aura relations officielles et, sur les territoires respectifs, les agents diplomatiques et consulaires

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recevront, à moins de stipulations particulières, le traitement consacré par les principes généraux du droit des gens.

SECTION I.

I.—Clauses Territoriales.

Article 2.

De la Mer Noire à la Mer Egée: la frontière de la Turquie est fixée comme il suit (Voir la Carte No. 1, annexée).

(1) *avec la Bulgarie.*

De l'embouchure de la Rezvaya jusqu'à *la rive gauche* de la Maritza, point de jonction des trois frontières de la Turquie, de la Bulgarie et de la Grèce:

la frontière Sud de la Bulgarie, telle qu'elle est actuellement délimitée.

(2) *avec la Grèce.*

—de là, jusqu'au point où la frontière qui avait été fixée par le Traité de Sophia du 26 Septembre 1915 traverse la rivière Maritza en amont d'Andrinople

la rive gauche de la Maritza;

de là, dans la direction du Sud-Est, jusqu'au point où elle traverse la rivière Maritza en aval d'Andrinople

la frontière qui avait été fixée par le Traité de Sofia du 26 Septembre 1915, laissant à la Turquie la station à laquelle aboutit actuellement l'embranchement du chemin de fer spécialement construit pour desservir la ville d'Andrinople, et laissant à la Grèce la ville et la gare de Karagatch;

—de là, jusqu'à la Mer Egée:

la rive gauche de la Maritza.

Article 3.

De la Mer Méditerranée à la frontière de Perse, la frontière de la Turquie est fixée comme il suit:

(1) *avec la Syrie:*

La frontière définie dans l'article 8 de l'Accord franco-turc du 20 Octobre 1921:

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recevront, le traitement consacré par les principes généraux du droit des gens.

Dès la ratification du présent Traité par la Grande Assemblée Nationale de Turquie et sans attendre la ratification des autres Puissances contractantestoutes les parties du territoire turc se trouvant sous l'occupation des Puissances Alliées seront immédiatement évacuées.

SECTION I.

I Clauses Territoriales

Article .

De la Mer Noire à la Mer Egée: la frontière de la Turquie est fixée comme il suit (Voir la Carte No. 1, annexée).

(1) *avec la Bulgarie.*

De l'embouchure de la Rezvaya jusqu'à la Maritza, point de jonction des trois frontières de la Turquie, de la Bulgarie et de la Grèce:

la frontière Sud de la Bulgarie, telle qu'elle est actuellement délimitée

(2) *avec la Grèce.*

—de là, jusqu'au point où la frontière qui avait été fixée par le Traité de Sophia du 26 septembre 1915 traverse la rivière Maritza en amont d'Andrinople:

la ligne de thalweg du cours principal de la Maritza:

—de là, dans la direction du Sud-Est, jusqu'au point où elle traverse la rivière Maritza en aval d'Andrinople:

la frontière qui avait été fixée par le Traité de Sophia du 26 septembre 1915, laissant à la Turquie la station à laquelle aboutit actuellement l'embranchement du chemin de fer spécialement construit pour desservir la ville d'Andrinople, et laissant à la Grèce la ville et la gare de Karagatch;

de là, jusqu'à la Mer Egée:

la ligne de thalweg du cours principal de la Maritza.

Article .

De la Mer Méditerranée à la frontière de Perse, la frontière de la Turquie est fixée comme il suit:

(1) *avec la Syrie:*

La frontière définie dans l'article 8 de l'Accord franco-turc du 20 octobre 1921 *qui reste entièrement en vigueur avec toutes ses annexes;*

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(2) *avec l'Iraq:*

à partir du point où finit sur le Tigre la frontière visée à l'alinéa (1) *du présent article:*

une ligne à déterminer en conformité de la décision qui sera rendue à ce sujet par le Conseil de la Société des Nations.

Article 4.

Les frontières décrites par le présent Traité sont tracées sur les cartes au-1/1,000,000e annexées au présent Traité. En cas de divergence entre le texte et la carte, c'est le texte qui fera foi.

Article 5.

Des Commissions de délimitation seront chargées de tracer sur le terrain les frontières décrites dans les articles 2 et 3 et non encore tracées. Ces Commissions seront composées de représentants des Puissances limitrophes intéressées, à raison d'un par chaque Puissance, et d'un Président choisi par eux parmi les ressortissants d'une tierce Puissance.

Elles auront tout pouvoir, non seulement pour la détermination des fractions définies sous le nom de "ligne à déterminer sur le terrain," mais encore, si elles le jugent nécessaire, pour la révision, dans le détail, des fractions définies par des limites administratives ou autrement. Elles s'efforceront dans tous les cas de suivre au plus près les définitions données dans les Traités en tenant compte autant que possible des limites administratives et des intérêts économiques locaux.

Les décisions des Commissions seront prises à la majorité des voix et seront obligatoires pour les parties intéressées.

Les dépenses des Commissions de délimitation seront supportées également par les Parties intéressées.

Article 6.

En ce qui concerne les frontières définies par le cours d'un fleuve ou d'une rivière et non par ses rives, les termes "cours" ou "chenal" employés dans les descriptions du présent Traité signifient: d'une part, pour les fleuves non navigables, la ligne médiane du cours d'eau ou de son bras principal, et d'autre part, pour les fleuves navigables, la ligne médiane du chenal de navigation principal. Toutefois, il appartiendra aux Commissions de délimitation, prévues par le présent Traité, de spécifier si la ligne

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(2) *avec l'Iraq:*

La frontière entre la Turquie et l'Iraq sera déterminée à l'amiable entre la Turquie et la Grande-Bretagne dans un délai de 12 *mois à partir de la mise en vigueur du présent Traité.*

A défaut d'accord le litige sera porté devant le Conseil de la Société des Nations.

(Maintenu)

Article .

Des Commissions de délimitation seront chargées de tracer sur le terrain les frontières décrites dans les articles 2 et 3 et non encore tracées. Ces Commissions seront composées de représentants des Puissances limitrophes intéressées, à raison d'un par chaque Puissance, et d'un Président choisi par eux parmi les ressortissants d'une tierce Puissance.

Elles s'efforceront, dans tous les cas, de suivre au plus près les définitions données dans les Traités, en tenant compte autant que possible des limites administratives et des intérêts économiques locaux.

Les décisions des Commissions seront prises à la majorité des voix et seront obligatoires pour les parties intéressées.

Les dépenses des Commissions de délimitation seront supportées également par les Parties intéressées.

(Maintenu.)

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frontière suivra, dans ses déplacements éventuels, le cours ou le chenal ainsi défini, ou si elle sera déterminée d'une manière définitive par la position du cours ou du chenal, au moment de la mise en vigueur du présent Traité. A moins de stipulations contraires du présent Traité, les frontières maritimes comprennent les îles et îlots situés à moins de trois milles de la côte.	
Article 7. Les divers Etats intéressés s'engagent à fournir aux Commissions tous documents nécessaires à leurs travaux, notamment des copies authentiques des procès-verbaux de délimitation des frontières actuelles ou anciennes, toutes les cartes à grande échelle existantes, les données géodésiques, les levés exécutés et non publiés, les renseignements sur les divagations des cours d'eau frontières. Les cartes, données géodésiques et levés même non publiés, se trouvant en la possession des autorités turques, devront être remis à Constantinople, dans le plus bref délai possible dès la mise en vigueur du présent Traité, aux Présidents des Commissions intéressées. Les Etats intéressés s'engagent, en outre, à prescrire aux autorités locales de communiquer aux Commissions tous documents, notamment les plans, cadastres et livres fonciers, et de leur fournir sur leur demande tous renseignements sur la propriété, les courants économiques et autres informations nécessaires.	(Maintenu.)
Article 8. Les divers Etats intéressés s'engagent à prêter assistance aux Commissions de délimitation, soit directement, soit par l'entremise des autorités locales, pour tout ce qui concerne le transport, le logement, la main-d'œuvre, les matériaux (poteaux, bornes) nécessaires à l'accomplissement de la mission. En particulier, le Gouvernement turc s'engage à fournir, s'il est nécessaire, le personnel technique propre à assister les Commissions de délimitation dans l'accomplissement de leur tâche.	(Maintenu.)
Article 9. Les divers Etats intéressés s'engagent à faire respecter les repères trigonométriques, signaux, poteaux ou bornes frontières placés par les Commissions.	(Maintenu.)

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Article 10. Les bornes seront placées à distance de vue l'une de l'autre; elles seront numérotées et leur emplacement et leur numéro seront portés sur un document cartographique.	(Maintenu.)
Article 11. Les procès verbaux définitifs de délimitation, les cartes et documents annexés seront établis en triple original, dont deux seront transmis aux Gouvernements des Etats limitrophes et le troisième sera transmis au Gouvernement de la République française, qui en délivrera des expéditions authentiques aux Puissances signataires du présent Traité.	(Maintenu.)
Article 12. La décision prise le 13 Février 1914 par la Conférence de Londres, en exécution des articles 5 du Traité de Londres du 17/30 Mai 1913 et 15 du Traité d'Athènes du 1/14 Novembre 1913, ladite décision notifiée au Gouvernement hellénique le 13 Février 1914, concernant la souveraineté de la Grèce sur les îles de la Méditerranée orientale, autres que les îles de Imbros et Tenedos, notamment les îles de Lemnos, Samothrace, Mitylène, Chio, Samos et Nikaria, est confirmée, sous réserve des stipulations du présent Traité relatives aux îles placées sous la souveraineté de l'Italie et visées à l'article 15. Sauf stipulation contraire du présent Traité, les îles situées à moins de trois milles de la côte asiatique, restent placées sous la souveraineté turque.	*Article* . La décision prise le 13 février 1914 par la Conférence de Londres, en exécution des articles 5 du Traité de Londres du 17/30 mai 1913 et 15 du Traité d'Athènes du 1/14 novembre 1913, ladite décision notifiée au Gouvernement hellénique le 13 février 1914, concernant la souveraineté de la Grèce sur les îles de la Méditerranée orientale, autres que les îles de Imbros, Tenedos *et des îlots de Merkeb dépendant de cette dernière*, notamment les îles de Lemnos, Samothrace, Mitylène, Chio, Samos et Nikaria, est confirmée, sous réserve des stipulations du présent Traité relatives aux îles placées sous la souveraineté de l'Italie et visées à l'article 15. Sauf stipulation contraire du présent Traité, les îles situées à moins de trois milles de la côte asiatique, restent placées sous la souveraineté turque.
Article 13. En vue d'assurer le maintien de la paix, le Gouvernement hellénique s'engage à observer les mesures suivantes dans les îles de Mitylène, Chio, Samos et Nikaria: (1°) Aucune base navale, ni aucune fortification, ne seront établies dans lesdites îles; (2°) Il sera interdit à l'aviation militaire grecque de survoler le territoire de la côte d'Anatolie. Réciproquement, le Gouvernement turc interdira à son aviation militaire de survoler lesdites îles. (3°) Les forces militaires helléniques dans lesdites îles seront limitées au contingent normal appelé pour le service militaire qui pourra être instruit sur place, ainsi qu'à un effectif de gendar-	(Maintenu.)

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merie et de police proportionné à l'effectif de la gendarmerie et de la police existant sur l'ensemble du territoire hellénique.	
Article 14.	(Maintenu.)
Les îles de Imbros et Tenedos, demeurant sous la souveraineté turque, jouiront d'une organisation administrative spéciale composée d'éléments locaux et donnant toute garantie à la population indigène non musulmane, en ce qui concerne l'administration locale ainsi que la protection des personnes et des biens. Le maintien de l'ordre y sera assuré par une police recrutée parmi la population indigène par les soins et placée sous les ordres de l'administration locale ci-dessus prévue. Les stipulations conclues ou à conclure entre la Grèce et la Turquie concernant l'échange des populations grecques et turques ne seront pas applicables aux habitants des îles d'Imbros et de Tenedos.	
Article 15.	*Article* .
La Turquie renonce en faveur de l'Italie à tous ses droits et titres sur les îles ci-après énumérées, savoir : Stampalia (Astropalia), Rhodes (Rhodos), Calki (Kharki), Scarpanto, Casos (Casso), Piscopis (Tilos), Misiros (Nisyros), Calimnos (Kalymnos), Leros, Patmos, Lispsos (Lipso), Simi (Symi), et Cos (Kos), actuellement occupées par l'Italie, et les îlots qui en dépendent, ainsi que sur l'île de Castellorizzo (voir Carte No. 2).	La Turquie renonce en faveur de l'Italie à tous ses droits et titres sur les îles ci-après énumérées, savoir : Stampalia (Astropalia), Rhodes (Rhodos), Calki (Kharki), Scarpanto, Casos (Casso), Piscopis (Tilos), Misiros (Nisyros), Calimnos (Kalimnos), Leros, Patmos, Lispsos (Lipso), Limi (Lymi), et Cos (Kos), actuellement occupées par l'Italie, et les îlots qui en dépendent (voir Carte No. 2). *L'île de Castellorizzo reste sous la souveraineté de la Turquie.*
Article 16.	*Article* .
La Turquie déclare renoncer à tous droits et titres de quelque nature que ce soit, sur ou concernant tous territoires situés au delà des frontières prévues par le présent Traité et sur les îles autres que celles sur lesquelles la souveraineté lui est reconnue par ledit Traité. *Elle reconnaît et agrée les dispositions qui ont été ou seront prises concernant l'attribution, l'indépendance ou tout autre régime de ces territoires ou îles.*	La Turquie déclare renoncer à tous droits et titres de quelque nature que ce soit, sur ou concernant tous territoires situés au delà des frontières prévues par le présent Traité et sur les îles autres que celles sur lesquelles la souveraineté lui est reconnue par ledit Traité. *Les dispositions du présent Article ne portent pas atteinte aux stipulations de l'article 7 de l'Accord d'Angora du* 20 *octobre* 1921 *ainsi qu'à celles de la lettre annexe de même date du Plénipotentiaire français relative à cet article, et aux clauses du procès-verbal de signature de l'Accord susmentionné.* *De même la souveraineté de la Turquie sur l'îlot d'Ada Kala situé sur le Danube est maintenue.*

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Article 17.	*Article* .
L'effet de la renonciation par la Turquie à tous les droits et titres sur l'Egypte et sur le Soudan prendra date du 5 Novembre 1914.	L'effet de la renonciation par la Turquie à tous les droits et titres sur l'Egypte et sur le Soudan prendra date du 5 novembre 1914. *La Turquie est libérée de tous engagements et obligations à l'égard des emprunts ottomans garantis sur le tribut d'Egypte.*
Article 18.	(Maintenu.)
Des stipulations ultérieures, à intervenir dans des conditions à déterminer entre les Puissances intéressées, régleront les questions naissant de la reconnaissance de l'Etat égyptien, auquel ne s'appliquent pas les dispositions du présent Traité relatives aux territoires détachés de la Turquie en vertu dudit Traité.	
Article 19.	*Article* .
La Turquie déclare reconnaître l'annexion de Chypre proclamée par le Gouvernement britannique le 5 Novembre 1914. Les ressortissants turcs nés ou domiciliés dans l'île de Chypre acquerront, dans les conditions de la loi locale, la nationalité britannique, à l'exclusion de la nationalité ottomane.	La Turquie déclare reconnaître l'annexion de Chypre proclamée par le Gouvernement britannique le 5 novembre 1914. *La Turquie est libérée de tous engagements et obligations à l'égard des emprunts ottomans garantis sur les revenus de Chypre.* Les ressortissants turcs nés *et* domiciliés dans l'île de Chypre acquerront, dans les conditions de la loi locale, la nationalité britannique, à l'exclusion de la nationalité ottomane. *Les personnes qui en vertu du présent article deviennent sujets britanniques pourront opter pour la nationalité turque conformément aux dispositions générales prévues à la Section II de la présente Partie.*
Article 20.	*Article* .
Les droits et privilèges, qui, en vertu du Traité de Lausanne du 18 Octobre 1912, avaient été réservés en Libye *au Sultan de Turquie*, sont et demeurent définitivement abolis.	Les droits et privilèges, qui, en vertu du Traité de Lausanne du 18 octobre 1912, avaient été réservés en Libye *à l'Empire Ottoman*, sont et demeurent définitivement abolis.
(2) Dispositions Spéciales.	(2) Dispositions Spéciales.
Article 21.	*Article* .
Les Hautes Parties Contractantes sont d'accord pour reconnaître et déclarer le principe de la liberté de passage et de navigation, par mer et dans les airs, en temps de paix comme en temps de guerre, dans les Détroits des Dardanelles, la Mer de Marmara et le Bosphore.	Les Hautes Parties Contractantes sont d'accord pour reconnaître et déclarer le principe de la liberté de passage et de navigation, par mer et dans les airs, en temps de paix comme en temps de guerre, dans les Détroits des Dardanelles, la Mer de Marmara et le Bosphore *conformément*

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La Convention spéciale, conclue à la date de ce jour, relativement au régime des Détroits, aura même force et valeur au regard des Hautes Parties ici contractantes que si elle figurait dans le présent Traité.	*à la* Convention spéciale, conclue à la date de ce jour, relativement au régime des Détroits. *Cette Convention* aura même force et valeur au regard des Hautes Parties ici contractantes que si elle figurait dans le présent Traité.
Article 22.	
La Convention spéciale, conclue à la date de ce jour, relativement au régime de la frontière décrite dans l'article 2 du présent Traité, aura même force et valeur au regard des Hautes Parties ici contractantes que si elle figurait dans le présent Traité.	(Maintenu.)
Article 23.	
La Turquie s'engage à reconnaître la pleine valeur des Traités de paix et Conventions additionnelles, conclus par les autres Puissances contractantes avec les Puissances ayant combattu aux côtés de la Turquie, à agréer les dispositions qui ont été ou seront prises concernant les territoires de l'ancien Empire allemand, de l'Autriche, de la Hongrie et de la Bulgarie, et à reconnaître les nouveaux Etats dans les frontières ainsi fixées.	(Maintenu.)
Article 24.	
La Turquie déclare dès à présent reconnaître et agréer les frontières de l'Allemagne, de l'Autriche, de la Bulgarie, de la Grèce, de la Hongrie, de la Pologne, de la Roumanie, de l'Etat Serbe-Croate-Slovène et de l'Etat Tchéco-Slovaque, telles que ces frontières ont été ou seront fixées par les Traités visés à l'article 23 ou par toutes conventions complémentaires.	(Maintenu.)
Article 25.	*Article* .
Aucun pouvoir, ou juridiction en matière politique, législative, ou administrative ne seront exercés, pour quelque motif que ce soit, par le Gouvernement ou les autorités de la Turquie hors du territoire turc sur les ressortissants d'un territoire placé sous la souveraineté ou le protectorat des autres Puissances signataires du présent Traité, et sur les ressortissants d'un territoire détaché de la Turquie.	Aucun pouvoir, ou juridiction en matière politique, législative, ou administrative ne seront exercés, pour quelque motif que ce soit, par le Gouvernement ou les autorités de la Turquie hors du territoire turc sur les ressortissants d'un territoire placé sous la souveraineté ou le protectorat des autres Puissances signataires du présent Traité, et sur les ressortissants d'un territoire détaché de la Turquie.
Il demeure entendu que le présent Traité ne porte pas atteinte aux prérogatives *spirituelles* des autorités religieuses des diverses croyances.	Il demeure entendu que le présent Traité ne porte pas atteinte aux prérogatives *religieuses exercées en dehors de la Turquie par* des autorités religieuses des diverses croyances.
Article 26.	*Article* .
Les Hautes Parties Contractantes *sont d'accord pour* abroger les capitulations concernant le régime des étrangers	Les Hautes Parties Contractantes *déclarent complètement abrogées* les capitulations concernant le régime des

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en Turquie tant au point de vue des conditions d'accès et de séjour qu'au point de vue fiscal et judiciaire.	étrangers en Turquie tant au point de vue des conditions d'accès et de séjour qu'au point de vue fiscal et judiciaire, *ainsi que le système économique et financier résultant des Capitulations.*
La Convention spéciale conclue sur ce sujet en date de ce jour aura même force et valeur au regard des Hautes Parties Contractantes que si les dispositions en figuraient dans le présent Traité.	
Article 27.	*Article* .
Les ressortissants marocains (zone française) et les ressortissants tunisiens seront à tous égards soumis en Turquie au même régime que les autres ressortissants français.	Les ressortissants marocains (zone française) et les ressortissants tunisiens seront à tous égards soumis en Turquie au même régime que les autres ressortissants français.
Les ressortissants libyens seront à tous égards soumis en Turquie au même régime que les autres ressortissants italiens.	Les ressortissants libyens seront à tous égards soumis en Turquie au même régime que les autres ressortissants italiens.
	Les dispositions de cet article ne pourront affecter les personnes qui s'étant, avant la mise en vigueur du présent Traité, établies en Turquie auraient acquis la nationalité Turque.
SECTION II.	SECTION II.
NATIONALITÉ.	NATIONALITÉ.
Article 28.	
Les ressortissants turcs établis sur les territoires qui, en vertu des dispositions du présent Traité, sont détachés de la Turquie, deviendront de plein droit et dans les conditions de la législation locale, ressortissants de l'Etat auquel le territoire est transféré.	(Maintenu.)
Article 29.	
Les personnes âgées de plus de 18 ans, perdant leur nationalité turque et acquérant de plein droit une nouvelle nationalité en vertu de l'article 28, auront la faculté, pendant une période de deux ans à dater de la mise en vigueur du présent Traité, d'opter pour la nationalité turque.	(Maintenu.)
Article 30.	
Les personnes, âgées de plus de 18 ans, qui sont établies sur un territoire détaché de la Turquie, en conformité du présent Traité, et qui y diffèrent, par la race, de la majorité de la population dudit territoire, pourront, dans le délai de deux ans à dater de la mise en vigueur du présent Traité, opter pour la nationalité d'un des Etats où la majorité de la population est de la même race que la personne exerçant le droit d'option, et sous réserve du consentement de cet Etat.	(Maintenu.)

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Article 31.	
Les personnes ayant exercé le droit d'option, conformément aux dispositions des articles 29 et 30, devront, dans les douze mois qui suivront, transporter leur domicile dans l'Etat en faveur duquel elles auront opté. Elles seront libres de conserver les biens immobiliers qu'elles possèdent sur le territoire de l'autre Etat, où elles auraient eu leur domicile antérieurement à leur option. Elles pourront emporter leurs biens meubles de toute nature. Il ne leur sera imposé, de ce fait, aucun droit ou taxe, soit de sortie, soit d'entrée.	(Maintenu.)
Article 32.	
Sous réserve des accords qui pourraient être nécessaires entre les Gouvernements exerçant l'autorité dans les pays détachés de la Turquie et les Gouvernements des pays où ils sont établis, les ressortissants turcs, âgés de plus de 18 ans, originaires d'un territoire détaché de la Turquie en vertu du présent Traité et qui, au moment de la mise en vigueur de celui-ci, sont établis à l'étranger, pourront opter pour la nationalité en vigueur dans le territoire dont ils sont originaires, s'ils se rattachent par leur race à la majorité de la population de ce territoire, et si le Gouvernement y exerçant l'autorité y consent. Ce droit d'option devra être exercé dans le délai de deux ans à dater de la mise en vigueur du présent Traité.	(Maintenu.)
Article 33.	
Les Hautes Parties Contractantes s'engagent à n'apporter aucune entrave à l'exercice du droit d'option, prévu par le présent Traité ou par les Traités de paix conclus avec l'Allemagne, l'Autriche, la Bulgarie ou la Hongrie, ou par un Traité conclu par les Puissances alliées, ou l'une d'elles, avec la Russie, ou entre les Puissances alliées elles-mêmes, et permettant aux intéressés d'acquérir toute autre nationalité qui leur serait ouverte.	(Maintenu.)
Article 34.	
Les femmes mariées suivront la condition de leurs maris et les enfants âgés de moins de 18 ans suivront la condition de leurs parents pour tout ce qui concerne l'application des dispositions de la présente Section.	(Maintenu.)

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Article 35.	
Les Juifs de nationalité non ottomane, établis en Palestine à la date de la mise en vigueur du présent Traité, auront la faculté d'acquérir la nationalité palestinienne en faisant une déclaration dans telles formes et conditions qui seront prescrites par la loi.	(Maintenu.)
SECTION III.	SECTION III.
Protection des Minorités.	Protection des Minorités.
Article 36.	
La Turquie s'engage à ce que les stipulations contenues dans les articles 37 à 43 soient reconnues comme lois fondamentales, à ce qu'aucune loi, aucun règlement, ni aucune action officielle ne soient en contradiction ou en opposition avec ces stipulations et à ce qu'aucune loi, aucun règlement ni aucune action officielle ne prévalent contre elles	(Maintenu.)
Article 37.	
Le Gouvernement turc s'engage à accorder à tous les habitants de la Turquie pleine et entière protection de leur vie et de leur liberté, sans distinction de naissance, de nationalité, de langue, de race ou de religion. Tous les habitants de la Turquie auront droit au libre exercice, tant public que privé, de toute foi, religion ou croyance dont la pratique ne sera pas incompatible avec l'ordre public et les bonnes mœurs. Les minorités non musulmanes jouiront pleinement de la liberté de circulation et d'émigration sous réserve des mesures s'appliquant, sur la totalité ou sur une partie du territoire, à tous les ressortissants turcs et qui seraient prises par le Gouvernement turc pour la défense nationale ou pour le maintien de l'ordre public.	(Maintenu.)
Article 38.	
Les ressortissants turcs appartenant aux minorités non musulmanes jouiront des mêmes droits civils et politiques que les musulmans. Tous les habitants de la Turquie, sans distinction de religion, seront égaux devant la loi. La différence de religion, de croyance ou de confession ne devra nuire à aucun ressortissant turc en ce qui concerne la jouissance des droits civils et politiques, notamment pour l'admission aux emplois publics, fonctions et honneurs ou l'exercice des différentes professions et industries.	(Maintenu.)

Allied Draft Treaty of January 31, 1923.	*Turkish Counter-Proposals of March* 8, 1923.
Il ne sera édicté aucune restriction contre le libre usage pour tout ressortissant turc d'une langue quelconque, soit dans les relations privées ou de commerce, soit en matière de religion, de presse ou de publications de toute nature, soit dans les réunions publiques. Nonobstant l'existence de la langue officielle, des facilités appropriées seront données aux ressortissants turcs de langue autre que le turc, pour l'usage oral de leur langue devant les tribunaux.	
Article 39.	
Les ressortissants turcs appartenant à des minorités non musulmanes pourront du même traitement et des mêmes garanties en droit et en fait que les autres ressortissants turcs. Ils auront notamment un droit égal à créer, diriger et contrôler à leurs frais toutes institutions charitables, religieuses ou sociales, toutes écoles et autres établissements d'enseignement et d'éducation, avec le droit d'y faire librement usage de leur propre langue et d'y exercer librement leur religion.	(Maintenu.)
Article 40.	
En matière d'enseignement public, le Gouvernement turc accordera dans les villes et districts où réside une proportion considérable de ressortissants non musulmans, des facilités appropriées pour assurer que dans les écoles primaires l'instruction soit donnée dans leur propre langue aux enfants de ces ressortissants turcs. Cette stipulation n'empêchera pas le Gouvernement turc de rendre obligatoire l'enseignement de la langue turque dans lesdites écoles. Dans les villes ou districts où existe une proportion considérable de ressortissants turcs appartenant à des minorités non musulmanes, ces minorités se verront assurer une part équitable dans le bénéfice et l'affectation des sommes qui pourraient être attribuées sur les fonds publics par le budget de l'Etat, les budgets municipaux ou autres, dans un but d'éducation de religion ou de bienfaisance. Les fonds en question seront versés aux représentants qualifiés des établissements institutions intéressés.	(Maintenu.)
Article 41.	
Le Gouvernement turc agrée de prendre à l'égard des minorités toute mesure, en ce qui concerne leur statut familial ou personnel, toutes dispositions permettant de régler ces questions selon les usages de ces minorités.	(Maintenu.)

Allied Draft Treaty of January 31, 1923.	*Turkish Counter-Proposals of March* 8, 1923.
Ces dispositions seront élaborées par des commissions spéciales composées en nombre égal de représentants du Gouvernement turc et de représentants de chacune des minorités intéressées. En cas de divergence, le Gouvernement turc et le Conseil de la Société des Nations nommeront d'un commun accord un surarbitre choisi parmi les jurisconsultes européens. Le Gouvernement turc s'engage à accorder toute protection aux églises, synagogues, cimetières et autres établissements religieux des minorités précitées. Toutes facilités et autorisations seront données aux fondations pieuses et aux établissements religieux et charitables des mêmes minorités actuellement existants en Turquie, et le Gouvernement turc ne refusera, pour la création de nouveaux établissements religieux et charitables, aucune des facilités nécessaires qui sont garanties aux autres établissements privés de cette nature.	
Article 42.	
Les ressortissants turcs, appartenant aux minorités non musulmanes, ne seront pas astreints à accomplir un acte quelconque constituant une violation de leur foi ou de leurs pratiques religieuses, ni frappés d'aucune incapacité s'ils refusent de comparaître devant les tribunaux ou d'accomplir quelque acte légal le jour de leur repos hebdomadaire. Toutefois, cette disposition ne dispensera pas ces ressortissants turcs des obligations imposées à tous autres ressortissants turcs en vue du maintien de l'ordre public.	(Maintenu.)
Article 43.	
La Turquie convient que, dans la mesure où les articles précédents de la présente section affectent les ressortissants non musulmans de la Turquie, ces stipulations constituent des obligations d'intérêt international et soient placées sous la garantie de la Société des Nations. Elles ne pourront être modifiées sans l'assentiment de la majorité du Conseil de la Société des Nations. L'Empire Britannique, la France, l'Italie et le Japon, s'engagent, par les présentes, à ne pas refuser leur assentiment à toute modification desdits articles, qui serait consentie en due forme par la majorité du Conseil de la Société de Nations. La Turquie agrée que tout membre du Conseil de la Société des Nations aura le droit de signaler à l'attention du Conseil toute infraction ou danger d'infraction	(Maintenu.)

Allied Draft Treaty of January 31 1923.

Turkish Counter Proposals of March 8, 1923

à l'une quelconque de ces obligations, et que le Conseil pourra procéder de telle façon et donner telles instructions qui paraîtront appropriées et efficaces dans la circonstance.

La Turquie agrée, en outre, qu'en cas de divergence d'opinions sur des questions de droit ou de fait concernant ces articles, entre le Gouvernement turc et l'une quelconque des autres Puissances signataires ou toute autre Puissance, membre du Conseil de la Société des Nations, cette divergence sera considérée comme un différend ayant un caractère international selon les termes de l'article 14 du Pacte de la Société des Nations. Le Gouvernement turc agrée que tout différend de ce genre sera, si l'autre partie le demande, déféré à la Cour Permanente de Justice Internationale. La décision de la Cour Permanente sera sans appel et aura la même force et valeur qu'une décision rendue en vertu de l'article 13 du Pacte

Article 44

Les droits reconnus par les stipulations de la présente Section aux minorités non musulmanes de la Turquie, sont également reconnus par la Grèce à la minorité musulmane se trouvant sur son territoire

(Maintenu.)

PARTIE II.

CLAUSES FINANCIERES

SECTION I.

Dette Publique Ottomane.

Article 45.

Les Etats de la Péninsule balkanique, les îles visées à l'article 15 du présent Traité et les Etats nouvellement créés en Asie en faveur desquels un territoire a été détaché de la Turquie soit à la suite des guerres balkaniques en 1912 13 soit en vertu du présent Traité, devront participer, dans les conditions indiquées ci-dessous, aux charges annuelles afférentes au service de la Dette Publique Ottomane telle qu'elle est définie dans le Tableau ci annexé (*voir Annexe I*), *sous réserve des dispositions contenues dans l'article* 50.

Ces Etats devront, dans le délai de trois mois à compter du jour où la notification leur aura été faite, aux termes de l'article 51 de la part qui leur incombe respectivement dans les charges annuelles ci-dessus visées, donner au Conseil de la Dette des

Allied Draft Treaty of January 31. 1923.

Turkish Counter Proposals of March 8, 1923.

gages suffisants pour le paiement de leur part.

Dans le cas où ces gages n'auraient pas été constitués dans le délai indiqué ci-dessus, comme en cas de divergence sur la convenance des gages constitués ou des modalités de paiement, il pourra être fait appel au Conseil de la Société des Nations par tout gouvernement intéressé ou par *le Conseil de la Dette Publique Ottomane, ce dernier étant* autorisé à agir, à cet égard, pour le compte de *tous les* porteurs de la Dette Publique Ottomane telle qu'elle est définie dans le Tableau ci-annexé.

Le Conseil de la Société des Nations pourra confier la perception des revenus donnés en gage aux organisations financières internationales existant dans les pays annexants. Les décisions du Conseil de la Société des Nations seront souveraines.

A compter des dates fixées par l'article 52, la Turquie ne pourra *pas* être rendue responsable des parts contributives mises à la charge des autres Etats.

ment dans les charges annuelles ci-dessus visées, donner au Conseil de la Dette des gages suffisants pour le paiement de leur part.

Dans le cas où ces gages n'auraient pas été constitués dans le délai indiqué ci-dessus, comme en cas de divergence sur la convenance des gages constitués ou des modalités de paiement, il pourra être fait appel au Conseil de la Société des Nations par tout gouvernement intéressé ou par *tous ceux qui sont* autorisés à agir, à cet égard, pour le compte *des* porteurs de la Dette Publique Ottomane telle qu'elle est définie dans le Tableau ci annexé

Le Conseil de la Société des Nations pourra confier la perception des revenus donnés en gage aux organisations financières internationales existant dans les pays annexants. Les décisions du Conseil de la Société des Nations seront souveraines.

A compter des dates fixées par l'article 52, la Turquie ne pourra *en aucune façon* être rendue responsable des parts contributives mises à la charge des autres Etats

Article 46.

Par application du dernier alinéa de l'article 45, *le capital nominal de la Dette Publique Ottomane qui est déterminé dans cet article pourra, avec le consentement des porteurs, être réparti entre les Etats intéressés si un de ces Etats en fait la demande dans un délai de trois mois à compter de la date de la mise en vigueur du présent Traité. Cette* répartition devra être faite d'après les proportions adoptées pour le partage des annuités et en tenant compte des stipulations des Conventions d'emprunt ou d'avances et des dispositions de la présente Section

Une Commission *sera, le cas échant,* réunie à Paris en vue de fixer les modalités de cette répartition. Elle sera composée des délégués du Gouvernement turc, des délégués de chacun des Etats susmentionnés, des membres du Conseil de la Dette Publique Ottomane et des représentants de la Dette Publique Ottomane autre que la Dette unifiée et les Lots turcs.

Article 46

Sous préjudice de la détermination, conformément aux stipulations de l'article 51, *par le Conseil de la Dette Publique Ottomane, du montant des annuités incombant à chacun des Etats intéressés, on procédera à la répartition entre ces Etats du capital nominal de la Dette Publique Ottomane dans le délai de trois mois à partir de la mise en vigueur du présent Traité. Cette répartition devra être achevée dans les neuf mois. Elle* devra être faite d'après les proportions adoptées pour le partage des annuités et en tenant compte des stipulations des Conventions d'emprunt ou d'avances et des dispositions de la présente Section.

Une Commission sera réunie à Paris en vue de fixer les modalités de cette répartition. Elle sera composée des délégués du Gouvernement turc, des délégués de chacun des Etats susmentionnés, des membres du Conseil de la Dette Publique Ottomane et des représentants de la Dette Publique Ottomane autre que la Dette unifiée et des Lots turcs.

Dans le cas où une entente quelconque la répartition du capital nominal de la Dette Publique Ottomane ne pourrait

Allied Draft Treaty of January 31. 1923.

Le paiement des *parts contributives* ne pourra pas être différé par suite des dispositions ci-dessus.

Article 47.

La Turquie s'entendra avec le Conseil de la Dette dans le délai fixé à l'article 45 pour compléter, s'il y a lieu, les gages existants de façon à assurer en totalité le service de la portion d'annuité restant à sa charge.

Article 48.

La répartition *des charges annuelles*, dont il est fait mention à l'article 45 aura lieu de la manière suivante :

1° *Les annuités afférentes* aux emprunts antérieurs au 17 octobre 1912, seront réparties entre la Turquie et les Etats balkaniques en faveur desquels un territoire a été détaché de la Turquie à la suite des guerres balkaniques de 1912 13 et les îles visées *à l'article* 15 du présent Traité, en tenant compte des changements territoriaux intervenus depuis la mise en vigueur des Traités qui ont mis fin à ces guerres ou des Traités postérieurs.

2° Le solde des annuités restant à la charge de *la Turquie* après cette première répartition, augmenté des annuités afférentes aux emprunts contractés *par la Turquie* entre le 17 octobre 1912 et le 1er novembre 1914, sera réparti entre la Turquie, les îles visées à l'article 15, les Etats balkaniques, et les Etats nouvellement créés en Asie, en faveur desquels un territoire a été détaché *de la Turquie* en vertu du présent Traité.

Article 49

Le montant de l'annuité à payer par chaque Etat intéressé devra être, vis-à-vis de la somme totale exigée pour le service de la Dette Publique Ottomane, dans la même proportion que le revenu moyen du territoire transféré vis-à-vis du revenu moyen total de *la Turquie* pendant les années financières 1910-1911 et 1911-1912, y compris dans chaque cas le produit des surtaxes douanières établies en 1907

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pas être effectuée dans le délai ci-dessus prévu la Turquie aura le droit d'émettre de nouveaux titres pour la part dudit capital qui lui reviendrait sur la base du montant des annuités incombant à elle en vertu de l'article 51.

Le paiement *des annuités incombant à chacun des Etats intéressés* ne pourra pas être différé par suite des dispositions ci-dessus, *relatives à la séparation du capital nominal.*

(Supprimé.)

Article

La répartition *de la Dette Publique Ottomane* dont il est fait mention *aux* articles 45 et 46 aura lieu de la manière suivante :

1° Les emprunts antérieurs au 17 octobre 1912, seront répartis entre la Turquie et les Etats balkaniques en faveur desquels un territoire a été détaché de la Turquie à la suite des guerres balkaniques de 1912 13 et les îles visées *aux articles* 12 *et* 15 du présent Traité en tenant compte des changements territoriaux intervenus depuis la mise en vigueur des Traités qui ont mis fin à ces guerres ou des Traités postérieurs.

2° Le solde *des dettes* restant à la charge *de l'Empire Ottoman* après cette première répartition augmenté des emprunts contractés par *ledit Empire* entre le 17 octobre 1912 et le 1er novembre 1914, sera réparti entre la Turquie et les Etats nouvellement créés en Asie, en faveur desquels un territoire a été détaché de l'Empire Ottoman en vertu du présent Traité

Article

Le montant de l'annuité à payer par chaque Etat intéressé devra être, vis-à-vis de la somme totale exigée pour le service de la Dette Publique Ottomane, dans la même proportion que le revenu moyen du territoire transféré vis-à-vis du revenu moyen total de *l'Empire Ottoman*, pendant les années financières 1910-11 et 1911-12, y compris dans chaque cas, le produit des surtaxes douanières établies en 1907

Allied Draft Treaty of January 31. 1923.

Article 50.

Une divergence de vues s'étant manifestée en ce qui concerne la répartition entre la Turquie et les Etats de la Péninsule Balkanique, les îles visées à l'article 15 du présent Traité et les Etats nouvellement créés en Asie en faveur desquels un territoire a été détaché de la Turquie, des charges qui incombent ou incombaient à l'Empire Ottoman du chef des garanties kilométriques dont jouissent ou jouissaient certaines lignes de chemins de fer, il a été décidé de soumettre ce différend à la Cour Permanente de Justice Internationale de La Haye (voir Annexe II), dont les Hautes Parties Contractantes s'engagent à accepter la décision. Jusqu'à ce que cette décision soit rendue, le paiement des parts contributives aura lieu provisoirement en conformité du Tableau annexé à la présente Section (voir Annexe I).

Article 51.

Le Conseil de la Dette Publique Ottomane devra, dans un délai maximum de trois mois à dater de la mise en vigueur du présent Traité, déterminer sur les bases établies par l'article 49 le montant des annuités incombant à chacun *de ces* Etats et leur notifier ce montant.

Les Etats intéressés auront la faculté d'envoyer à Constantinople des délégués pour suivre les travaux du Conseil de la Dette Publique Ottomane ayant pour objet la fixation des annuités qui leur incomberont.

Le Conseil de la Dette remplira les fonctions qui sont prévues par l'article 131 du Traité de Paix du 27 novembre 1919 avec la Bulgarie.

Tous différends pouvant surgir entre les Parties intéressées sur l'application des principes contenus dans le présent article devront être déférés au Conseil de la Société des Nations dans un délai de trois mois à dater de la notification prévu à l'alinéa 1er et seront tranchés par un arbitre désigné par ledit Conseil. Ces pouvoirs ne seront pas suspensifs

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(Supprimé)

Article

Chaque fois que le retrait de la circulation d'une partie du papier-monnaie émis par l'Empire Ottoman sera décidé par la Turquie les Etats en faveur desquels un territoire a été détaché de l'Empire Ottoman en vertu du présent Traité devront participer à ce retrait dans la proportion fixée à l'article 49.

Article

Le Conseil de la Dette Publique Ottomane devra, dans un délai maximum de trois mois à dater de la mise en vigueur du présent Traité, déterminer sur les bases établies par l'article 49 le montant des annuités incombant à chacun *des Etats intéressés* et leur notifier ce montant.

Les Etats intéressés auront la faculté d'envoyer à Constantinople des délégués pour suivre les travaux du Conseil de la Dette Publique Ottomane ayant pour objet la fixation des annuités qui leur incomberont.

Le Conseil de la Dette remplira les fonctions qui ont prévues par l'article 131 du Traité de Paix du 27 novembre 1919 avec la Bulgarie

Tous différends pouvant surgir entre les Parties intéressées pour l'application des principes contenus dans le présent article, devront être déférés au Conseil de la Société des Nations dans un délai de trois mois à dater de la notification prévue à l'alinéa 1er et seront tranchés par un arbitre désigné par ledit Conseil. Ces pouvoirs ne seront pas suspensifs *en ce qui concerne le paiement des annuités*

Allied Draft Treaty of January 31, 1923.	*Turkish Counter-Proposals of March 8, 1923.*
Article 52	*Article*
Les annuités dues par les Etats qui ont annexé des territoires détachés de la *Turquie* à la suite des guerres balkaniques seront exigibles à dater de la mise en vigueur des Traités qui ont consacré l'annexion de ces territoires aux Etats balkaniques. Les annuités dues par les Etats qui ont acquis des territoires détachés de la *Turquie* en vertu du présent Traité, seront exigibles à dater du 1er mars 1920.	Les annuités dues par les Etats qui ont annexé des territoires détachés de *l'Empire Ottoman* à la suite des guerres balkaniques, seront exigibles à dater de la mise en vigueur des Traités qui ont consacré l'annexion de ces territoires aux Etats balkaniques. *Toutefois les annuités dues par les îles visées à l'article* 15 *seront exigibles à partir du* 17 *octobre* 1912, *et celles dues par les îles visées à l'article* 12 *à partir du* 1/14 *novembre* 1913. Les annuités dues par les Etats qui ont acquis des territoires détachés de *l'Empire Ottoman* en vertu du présent Traité, seront exigibles à dater du 1er mars 1920.
Sous la réserve prévue à l'article 55, ces annuités continueront à être dues jusqu'à la liquidation définitive de la dette à laquelle elles se rapportent. Toutefois, elles seront proportionnellement réduites au fur et à mesure que les emprunts, qui constituent cette dette, arriveront à extinction conformément aux dates spécifiées par les contrats visés dans la colonne 2 du Tableau ci-annexé (*voir Annexe I*).	Sous la réserve prévue à l'article 55, ces annuités continueront à être dues jusqu'à la liquidation définitive de la dette à laquelle elles rapportent. Toutefois, elles seront proportionnellement réduites au fur et à mesure que les emprunts, qui constituent cette dette, arrivent à extinction conformément aux dates spécifiées par les contracts visés dans la colonne 2 du Tableau ci-annexé (*voir le Tableau de la Dette Publique Ottomane*).
Les Bons du Trésor de 1911, 1912 et 1913 énumérés audit Tableau, seront stipulés remboursables, avec intérêts, dans le délai de dix ans après les dates inscrites dans la colonne 8.	Les Bons du Trésor de 1911-1912 et 1913 énumérés audit Tableau, seront stipulés remboursables, avec intérêts, dans le délai de dix ans après les dates inscrites dans la colonne 8.
Article 53	*Article*
Le Gouvernement turc s'entendra avec le Conseil de la Dette sur les mesures à prendre pour compléter le montant des coupons arriérés de la Dette Publique Ottomane, en tenant compte des arrangements qui devront intervenir entre le Conseil et les Etats visés à l'article 45 *pour le règlement des annuités qui n'auraient pas été payées à la date de la mise en vigueur du présent Traité. Le règlement de ces dernières annuités devra être effectué sans intérêts dans le délai de vingt années à compter de la mise en vigueur du présent Traité.*	*Les Etats visés à l'article* 45 *effectueront, dans le délai de* 20 *années à compter de la mise en vigueur du présent Traité, le paiement des annuités afférentes à la part de dette leur revenant et qui, devenues exigibles à partir des dates fixées à l'article* 52 *sont restées en souffrance. Ce paiement sera effectué sans intérêt.* *Le Gouvernement Turc réglera les annuités arriérées de sa quote-part dans les mêmes conditions.* *Les annuités arriérées qui seront payées par les Etats balkaniques seront affectées au payement des annuités arriérées de la quote-part incombant à la Turquie dans la Dette Publique Ottomane jusqu'à concurrence des sommes payées par la Turquie au compte desdits Etats.*
Article 54	
Le Gouvernement turc se met d'accord avec le Conseil de la Dette Publique ottomane pour doter au produit des revenus affectés jusqu'à présent au service	(Supprimé.)

Allied Draft Treaty of January 31, 1923.	*Turkish Counter-Proposals of March 8, 1923.*
de la Dette Publique Ottomane dans les territoires restant turcs et qui auraient dû être versés, mais n'ont pas encore été versés, au Conseil de la Dette, à moins que ces territoires n'aient été occupés par les forces alliées, et excepté dans ce cas, pour la période d'occupation. Le Gouvernement turc s'entendra avec le Conseil de la Dette sur le mode de règlement de cette somme.	
Article 55.	(Maintenu.)
Chacun des Etats, qui aux termes du présent Traité doivent supporter annuellement une part du service de la Dette Publique Ottomane, pourra, moyennant un préavis de six mois au Conseil de la Dette, racheter cette obligation en tout ou en partie par le versement d'une somme représentant la valeur de l'annuité en question ou d'une partie de cette annuité capitalisée à un taux d'intérêt qui sera fixé, ainsi que les conditions de rachat, d'un commun accord par l'Etat intéressé et par le Conseil de la Dette. Le Conseil de la Dette n'aura pas le droit d'exiger ce rachat.	
Article 56.	*Article* .
Le décret de Mouharrem et les décrets annexés du 14 *septembre* 1903, *du* 24 *mai*/4 *juin* 1911, *ainsi que les décrets afférents aux emprunts contractés avant le* 1er *novembre* 1914, *sont confirmés.* Le Gouvernement turc s'engage à exécuter, en tout ce qui le concerne, les dispositions de l'article 258 du Traité de Paix du 28 juin 1919 avec l'Allemagne et les dispositions correspondantes des Traités de Paix du 10 septembre 1919 avec l'Autriche et du 4 juin 1920 avec la Hongrie, *aux* termes *desquelles ces Puissances ont renoncé à toute représentation ou participation dans toutes organisations et commissions de contrôle ou de gestion financière ou économique en Turquie.*	Le Gouvernement turc s'engage à exécuter, en tout ce qui le concerne, les dispositions de l'article 258 du Traité de Paix du 28 juin 1919 avec l'Allemagne et les dispositions correspondantes des Traités de Paix du 10 septembre 1919 avec l'Autriche et du 4 juin 1920 avec la Hongrie. *Aux* termes *de ces articles la Turquie consent à ce que les délégués des porteurs ressortissant aux Puissances susénumérées ne siègent plus au Conseil de la Dette Publique Ottomane.*

ANNEXE I A LA SECTION I.

Dette Publique Ottomane Antérieure au 1er Novembre 1914

EMPRUNTS	Date de l'émission	Taux d'intérêt	Taux d'amortissement	Nombre de titres émis	Valeur nominale des titres	Capital nominal émis	Capital nominal restant dû	Primes à rembourser	BANQUE D'ÉMISSION
Dette unifiée	1 Mai 1903	4	1	1.000.000	500	500.000.000	500.000.000		
Lots turcs	1er janvier 1870	1	1	119.000	400	47.600.000	47.600.000	1931	Banque impériale ottomane
Domaine	1er février 1880	4	1	1.000.000	500	500.000.000	500.000.000	1941	
Privée Régie	26 Mai 1888	4	1	1.000.000	500	500.000.000	500.000.000	1941	
4 per cent 1894 (Chemin de fer orientaux)	1er Janvier 1894	4	0,5	1.000.000	500	500.000.000	500.000.000	1941	
5 per cent 1896	20 Juillet 1896	5	0,5	1.000.000	500	500.000.000	500.000.000	1941	
5 per cent 1903	28 Juin 1903	5	0,5	1.000.000	500	500.000.000	500.000.000	1941	
Douanes 1903	28 Juin 1903	4	0,5	1.000.000	500	500.000.000	500.000.000	1941	
4 per cent 1904	2 Février 1904	4	0,5	1.000.000	500	500.000.000	500.000.000	1941	
4 per cent 1905	20 Juin 1905	4	0,5	1.000.000	500	500.000.000	500.000.000	1941	
4 per cent 1908	4 Février 1908	4	0,5	1.000.000	500	500.000.000	500.000.000	1941	
4 per cent 1910	4 Février 1910	4	0,5	1.000.000	500	500.000.000	500.000.000	1941	
4 per cent 1911	4 Février 1911	4	0,5	1.000.000	500	500.000.000	500.000.000	1941	
4 per cent 1912	4 Février 1912	4	0,5	1.000.000	500	500.000.000	500.000.000	1941	
4 per cent 1913	4 Février 1913	4	0,5	1.000.000	500	500.000.000	500.000.000	1941	
4 per cent 1914	4 Février 1914	4	0,5	1.000.000	500	500.000.000	500.000.000	1941	
Bons du Trésor 1911	1er Février 1911	5	1	1.000.000	500	500.000.000	500.000.000	1941	
Bons du Trésor 1912	1er Février 1912	5	1	1.000.000	500	500.000.000	500.000.000	1941	
Bons du Trésor Remboursables 1914	1er Février 1914	5	1	1.000.000	500	500.000.000	500.000.000	1941	
Bons du Trésor Remboursables 1914 bis	1er Février 1914	5	1	1.000.000	500	500.000.000	500.000.000	1941	
Bons du Trésor Remboursables 1914 ter	1er Février 1914	5	1	1.000.000	500	500.000.000	500.000.000	1941	
Bons du Trésor Remboursables 1914 quater	1er Février 1914	5	1	1.000.000	500	500.000.000	500.000.000	1941	
Bons du Trésor Remboursables 1914 quinquies	1er Février 1914	5	1	1.000.000	500	500.000.000	500.000.000	1941	
Bons du Trésor Remboursables 1914 sexies	1er Février 1914	5	1	1.000.000	500	500.000.000	500.000.000	1941	
Bons du Trésor Remboursables 1914 septies	1er Février 1914	5	1	1.000.000	500	500.000.000	500.000.000	1941	
Bons du Trésor Remboursables 1914 octies	1er Février 1914	5	1	1.000.000	500	500.000.000	500.000.000	1941	
Bons du Trésor Remboursables 1914 nonies	1er Février 1914	5	1	1.000.000	500	500.000.000	500.000.000	1941	
Bons du Trésor Remboursables 1914 decies	1er Février 1914	5	1	1.000.000	500	500.000.000	500.000.000	1941	
Bons du Trésor Remboursables 1914 undecies	1er Février 1914	5	1	1.000.000	500	500.000.000	500.000.000	1941	
Bons du Trésor Remboursables 1914 duodecies	1er Février 1914	5	1	1.000.000	500	500.000.000	500.000.000	1941	
Bons du Trésor Remboursables 1914 terdecies	1er Février 1914	5	1	1.000.000	500	500.000.000	500.000.000	1941	
Bons du Trésor Remboursables 1914 quaterdecies	1er Février 1914	5	1	1.000.000	500	500.000.000	500.000.000	1941	
Bons du Trésor Remboursables 1914 quindecies	1er Février 1914	5	1	1.000.000	500	500.000.000	500.000.000	1941	
Bons du Trésor Remboursables 1914 sexdecies	1er Février 1914	5	1	1.000.000	500	500.000.000	500.000.000	1941	
Bons du Trésor Remboursables 1914 septendecies	1er Février 1914	5	1	1.000.000	500	500.000.000	500.000.000	1941	
Bons du Trésor Remboursables 1914 octodecies	1er Février 1914	5	1	1.000.000	500	500.000.000	500.000.000	1941	
Bons du Trésor Remboursables 1914 novendecies	1er Février 1914	5	1	1.000.000	500	500.000.000	500.000.000	1941	
Bons du Trésor Remboursables 1914 vicies	1er Février 1914	5	1	1.000.000	500	500.000.000	500.000.000	1941	
Bons du Trésor Remboursables 1914 unvicies	1er Février 1914	5	1	1.000.000	500	500.000.000	500.000.000	1941	
Bons du Trésor Remboursables 1914 duovicies	1er Février 1914	5	1	1.000.000	500	500.000.000	500.000.000	1941	
Bons du Trésor Remboursables 1914 tervicies	1er Février 1914	5	1	1.000.000	500	500.000.000	500.000.000	1941	
Bons du Trésor Remboursables 1914 quatervicies	1er Février 1914	5	1	1.000.000	500	500.000.000	500.000.000	1941	
Bons du Trésor Remboursables 1914 quinvicies	1er Février 1914	5	1	1.000.000	500	500.000.000	500.000.000	1941	
Bons du Trésor Remboursables 1914 sexvicies	1er Février 1914	5	1	1.000.000	500	500.000.000	500.000.000	1941	
Bons du Trésor Remboursables 1914 septenvicies	1er Février 1914	5	1	1.000.000	500	500.000.000	500.000.000	1941	
Bons du Trésor Remboursables 1914 octovicies	1er Février 1914	5	1	1.000.000	500	500.000.000	500.000.000	1941	
Bons du Trésor Remboursables 1914 novenvicies	1er Février 1914	5	1	1.000.000	500	500.000.000	500.000.000	1941	
Bons du Trésor Remboursables 1914 tricies	1er Février 1914	5	1	1.000.000	500	500.000.000	500.000.000	1941	
Bons du Trésor Remboursables 1914 untricies	1er Février 1914	5	1	1.000.000	500	500.000.000	500.000.000	1941	
Bons du Trésor Remboursables 1914 duotricies	1er Février 1914	5	1	1.000.000	500	500.000.000	500.000.000	1941	
Bons du Trésor Remboursables 1914 tertricies	1er Février 1914	5	1	1.000.000	500	500.000.000	500.000.000	1941	
Bons du Trésor Remboursables 1914 quatertricies	1er Février 1914	5	1	1.000.000	500	500.000.000	500.000.000	1941	
Bons du Trésor Remboursables 1914 quintricies	1er Février 1914	5	1	1.000.000	500	500.000.000	500.000.000	1941	
Bons du Trésor Remboursables 1914 sextricies	1er Février 1914	5	1	1.000.000	500	500.000.000	500.000.000	1941	
Bons du Trésor Remboursables 1914 septentricies	1er Février 1914	5	1	1.000.000	500	500.000.000	500.000.000	1941	
Bons du Trésor Remboursables 1914 octotricies	1er Février 1914	5	1	1.000.000	500	500.000.000	500.000.000	1941	
Bons du Trésor Remboursables 1914 noventricies	1er Février 1914	5	1	1.000.000	500	500.000.000	500.000.000	1941	
Bons du Trésor Remboursables 1914 quadragies	1er Février 1914	5	1	1.000.000	500	500.000.000	500.000.000	1941	
Bons du Trésor Remboursables 1914 unquadragies	1er Février 1914	5	1	1.000.000	500	500.000.000	500.000.000	1941	
Bons du Trésor Remboursables 1914 duoquadragies	1er Février 1914	5	1	1.000.000	500	500.000.000	500.000.000	1941	
Bons du Trésor Remboursables 1914 terquadragies	1er Février 1914	5	1	1.000.000	500	500.000.000	500.000.000	1941	
Bons du Trésor Remboursables 1914 quatergragies	1er Février 1914	5	1	1.000.000	500	500.000.000	500.000.000	1941	
Bons du Trésor Remboursables 1914 quinquagies	1er Février 1914	5	1	1.000.000	500	500.000.000	500.000.000	1941	
Bons du Trésor Remboursables 1914 sexquagies	1er Février 1914	5	1	1.000.000	500	500.000.000	500.000.000	1941	
Bons du Trésor Remboursables 1914 septenquagies	1er Février 1914	5	1	1.000.000	500	500.000.000	500.000.000	1941	
Bons du Trésor Remboursables 1914 octoquagies	1er Février 1914	5	1	1.000.000	500	500.000.000	500.000.000	1941	
Bons du Trésor Remboursables 1914 novenquagies	1er Février 1914	5	1	1.000.000	500	500.000.000	500.000.000	1941	
Bons du Trésor Remboursables 1914 sexagies	1er Février 1914	5	1	1.000.000	500	500.000.000	500.000.000	1941	
Bons du Trésor Remboursables 1914 unsexagies	1er Février 1914	5	1	1.000.000	500	500.000.000	500.000.000	1941	
Bons du Trésor Remboursables 1914 duosexagies	1er Février 1914	5	1	1.000.000	500	500.000.000	500.000.000	1941	
Bons du Trésor Remboursables 1914 tersexagies	1er Février 1914	5	1	1.000.000	500	500.000.000	500.000.000	1941	
Bons du Trésor Remboursables 1914 quatersexagies	1er Février 1914	5	1	1.000.000	500	500.000.000	500.000.000	1941	
Bons du Trésor Remboursables 1914 quinsexagies	1er Février 1914	5	1	1.000.000	500	500.000.000	500.000.000	1941	
Bons du Trésor Remboursables 1914 sexsexagies	1er Février 1914	5	1	1.000.000	500	500.000.000	500.000.000	1941	
Bons du Trésor Remboursables 1914 septensexagies	1er Février 1914	5	1	1.000.000	500	500.000.000	500.000.000	1941	
Bons du Trésor Remboursables 1914 octosexagies	1er Février 1914	5	1	1.000.000	500	500.000.000	500.000.000	1941	
Bons du Trésor Remboursables 1914 novensexagies	1er Février 1914	5	1	1.000.000	500	500.000.000	500.000.000	1941	
Bons du Trésor Remboursables 1914 septuagies	1er Février 1914	5	1	1.000.000	500	500.000.000	500.000.000	1941	
Bons du Trésor Remboursables 1914 unseptuagies	1er Février 1914	5	1	1.000.000	500	500.000.000	500.000.000	1941	
Bons du Trésor Remboursables 1914 duoseptuagies	1er Février 1914	5	1	1.000.000	500	500.000.000	500.000.000	1941	
Bons du Trésor Remboursables 1914 terseptuagies	1er Février 1914	5	1	1.000.000	500	500.000.000	500.000.000	1941	
Bons du Trésor Remboursables 1914 quatergragies	1er Février 1914	5	1	1.000.000	500	500.000.000	500.000.000	1941	
Bons du Trésor Remboursables 1914 quinquagies	1er Février 1914	5	1	1.000.000	500	500.000.000	500.000.000	1941	
Bons du Trésor Remboursables 1914 sexquagies	1er Février 1914	5	1	1.000.000	500	500.000.000	500.000.000	1941	
Bons du Trésor Remboursables 1914 septenquagies	1er Février 1914	5	1	1.000.000	500	500.000.000	500.000.000	1941	
Bons du Trésor Remboursables 1914 octoquagies	1er Février 1914	5	1	1.000.000	500	500.000.000	500.000.000	1941	
Bons du Trésor Remboursables 1914 novenquagies	1er Février 1914	5	1	1.000.000	500	500.000.000	500.000.000	1941	
Bons du Trésor Remboursables 1914 octogies	1er Février 1914	5	1	1.000.000	500	500.000.000	500.000.000	1941	
Bons du Trésor Remboursables 1914 unoctogies	1er Février 1914	5	1	1.000.000	500	500.000.000	500.000.000	1941	
Bons du Trésor Remboursables 1914 duooctog

Allied Draft Treaty of January 31, 1923.

Turkish Counter-Proposals of March 8, 1923.

NOTE EXPLICATIVE DE L'ANNEXE I.

Les chiffres des colonnes 5, 6 et 7 sont exprimés en livres turques or.

La Turquie possède actuellement une circulation de papier au lieu de sa circulation d'or d'avant-guerre. Aux présents taux de change, la livre turque papier est loin de représenter les taux d'avant-guerre de la livre turque or relativement à la monnaie dans laquelle les emprunts ont été émis et dans laquelle l'intérêt et l'amortissement doivent être payés en Europe conformément aux termes des contrats d'emprunts (voir article 1er du Décret annexe de septembre 1903 et les contrats d'emprunt *passim*).

La définition de la livre turque or, en ce qui concerne ces colonnes, ne signifie pas que les provisions pour les coupons et les fonds d'amortissement doivent être faites en or, mais que le chiffre en livres turques doit être calculé à un taux de change tel qu'il soit possible aux porteurs de se faire payer dans la monnaie à laquelle ils ont droit, et que les calculs ont été faits en supposant qu'une ou plusieurs des monnaies, dans lesquelles le porteur d'emprunt peut demander le paiement, sont au pair de l'or.

(Supprimé.)

ANNEXE II.

PROJET DE QUESTIONS A SOUMETTRE A LA COUR PERMANENTE DE JUSTICE INTERNATIONALE DE LA HAYE.

Aux termes de l'article 45 (Clauses financières) du Traité de Paix signé à Lausanne le..... 19.....

"Les Etats de la Péninsule balkanique, les îles visées, à l'article 15 du présent Traité, et les Etats nouvellement créés en Asie, en faveur desquels un territoire a été détaché de la Turquie soit à la suite des guerres balkaniques en 1912–13 soit en vertu du présent Traité, devront participer, dans les conditions indiquées ci-dessous, aux charges annuelles afférentes au service de la Dette Publique Ottomane, telle qu'elle est définie dans le Tableau ci-annexé (voir Annexe I), sous réserve des dispositions contenues dans l'article 50."

Dans ces conditions, il a été décidé de poser à la Cour Permanente de Justice Internationale de La Haye les questions suivantes :

(Supprimé.)

Allied Draft Treaty of January 31, 1923.	*Turkish Counter-Proposals of March* 8, 1923.
Première question:	
Doit-on inscrire dans le tableau de la Dette Publique Ottomane à répartir entre la Turquie et les Etats de la Péninsule Balkanique, les îles visées à l'article 15 du Traité signé à Lausanne, le ..... et les Etats nouvellement créés en Asie, en faveur desquels un territoire a été détaché de la Turquie, les charges qui incombent ou incombaient à l'Empire ottoman du chef de la garantie kilométrique, dont jouissent ou jouissaient certaines lignes de chemins de fer?	(Supprimé.)
Deuxième question:	
Dans le cas où les charges relatives aux lignes jouissant d'une garantie kilométparmi les dettes à répartir, les charges relatives aux lignes de chemin de fer de relatives aux lignes de chemin de fer de Bagdad, de Soma-Panderma et de Hodéida-Sanaa, doivent-elles être éliminées du Tableau de la Dette à répartir?	(Supprimé.)
	Déclaration de la Délégation Turque.
	La Délégation Turque a l'honneur de faire la déclaration suivante relativement aux quotes-parts des dettes restées impayées jusqu'à ce jour et incombant à certains Etats balkaniques d'après les Traités de Berlin et de Thessalie.
	D'après les articles 33 *et* 42 *du Traité de Berlin du* 13 *juillet* 1878 *le Monténégro et la Serbie et, d'après les articles* 10 *des Traités du* 24 *mai et du* 2 *juillet* 1881 *conclus à Constantinople la Grèce étaient tenus de prendre à leur charge une part de la dette publique ottomane.*
	L'Ambassade britannique à Constantinople par sa note du 6 *novembre avait communiqué à la Sublime Porte les parts de dettes qui devaient incomber aux Etats susmentionnés.*
	Les nombreuses démarches effectuées par le gouvernement ottoman afin d'assurer la participation de ces Etats à la Dette Publique Ottomane, sont demeurées infructueuses.
	L'exclusion des parts contributives en question du tableau des dettes annexé au Traité de paix signé aujourd'hui à Lausanne ne signifie nullement que la Turquie se soit désistée de son droit. Au contraire, la Délégation Turque a l'honneur de déclarer que son gouvernement se réserve le droit d'exiger le paiement de ces part contributives reconnues définitivement par les traités.

Allied Draft Treaty of January 31, 1923.	*Turkish Counter-Proposals of March* 8, 1923.
SECTION 2.	SECTION II.
RÉPARATIONS.	REPARATIONS.
Article 57.	*Article* .
Entre la Turquie et les autres Puissances Contractantes (à l'exception de la Grèce), les revendications des ressortissants desdites Puissances contre le Gouvernement turc pour les pertes et dommages subis par eux pendant la période comprise entre le 1er Août 1914 et la mise en vigueur du présent Traité et les revendications de même nature des ressortissants turcs contre les Gouvernements desdites Puissances seront compensées, *moyennant le paiement d'une soulte de Ltq.* 15,000,000 *or qui sera versée par le Gouvernement turc aux dits Gouvernements. Les modalités de ce versement sont définies par les dispositions ci dessous.*	Entre la Turquie et les autres Puissances Contractantes (à l'exception de la Grèce), les revendications des ressortissants desdites Puissances *ainsi que celles des personnes morales appartenant à leurs nationalités* contre le Gouvernement turc pour les pertes et dommages subis par eux pendant la période comprise entre le premier août 1914 et la mise en vigueur du présent Traité et les revendications de même nature des ressortissants turcs contre les Gouvernements desdites Puissances seront *considéré comme* compensées.
Ledit versement réglera définitivement les réclamations pécuniaires que les Hautes Parties Contractantes ont à formuler les unes contre les autres relativement à des faits survenus entre le 1er *Août* 1914 *et la mise en vigueur du présent Traité, y compris les réclamations qui, bien qu'intéressant primitivement les ressortissants respectifs des Parties, impliqueraient ultérieurement un paiement direct ou indirect d'un Gouvernement au profit d'un autre Gouvernement.*	*La Turquie concient de ne pas demander aux Puissances Alliées le payement des sommes en or transférées par l'Allemagne et l'Autriche en vertu de l'article* 259 1° *du Traité de Paix du* 28 *juin* 1919 *avec l'Allemagne et de l'article* 210–1° *du Traité de Paix du* 10 *septembre* 1919 *avec l'Autriche. Elle concient également à ne pas demander à la Grande-Bretagne la restitution des sommes payées pour les bâtiments de guerre commandés en Angleterre. Aucune réclamation ne pourra être formulée contre la Turquie relativement aux biens, droits et intérêts des ressortissants alliés qui, se trouvant sur un territoire placé sous la souveraineté ottomane à la date du* 1er *août* 1914, *n'existent plus, ou ont subi des dommages résultant soit des faits de guerre, soit de mesures de réquisition, soit de mesures de séquestre, disposition ou confiscation soit de tout acte ou décision préjudiciable.*
	De même les biens qui auraient été saisis ou séquestrés jusqu'à la date du 30 *octobre* 1918 *par les armées et administrations alliées exceptées celles de la Grèce, en territoire turc et ceux saisis ou séquestrés par les armées et administration turques sur les territoires des Puissances alliées ne donneront lieu à aucune réclamation.*
Article 58.	*Article* .
La Grèce et la Turquie renoncent réciproquement, l'une à l'égard de l'autre, à tout remboursement de dommages causés à leurs nationaux pendant la période visée à l'article 57.	*La répartition des dommages causés par l'Armée et les autorités helléniques en Turquie sera réglée entre le Gouvernement turc et le Gouvernement hellénique*
	En cas de désaccord le montant de la somme à payer par la Grèce sera fixé par voie d'arbitrage.

Allied Draft Treaty of January 31, 1923.	*Turkish Counter-Proposals of March 8, 1923.*
Article 59.	
Pour s'acquitter des obligations qui lui incombent en vertu de l'article 57, le Gouvernement turc versera au Conseil de la Dette Publique Ottomane 37 annuités de 900,000 livres turques or, représentant chacune l'intérêt calculé à 5% et l'amortissement calculé à 1% de la somme de 15 millions de Ltq. or. La première annuité viendra à échéance le 1er Mars 1924.	(Supprimé.)
Article 60.	
Le Gouvernement Turc devra affecter irrévocablement au Conseil de la Dette Publique Ottomane des gages suffisants pour garantir le paiement des annuités mises à sa charge. Ces gages seront gérés par le Conseil de la Dette Publique Ottomane. Les revenus donnés en gage devront être agréés par le Conseil de la Dette et avoir produit pendant chacune des deux années précédant leur affectation, une somme supérieure d'au moins 15% au montant des annuités à garantir. Le Gouvernement Turc s'engage, dans le cas où le produit des revenus visés à l'alinéa précédent deviendrait insuffisant, à combler le déficit en procédant à de nouvelles affectations de recettes. Les revenus donnés en gage devront comprendre dans tous les cas le produit des concessions existantes ou à créer. Le Gouvernement turc devra, avant leur promulgation, demander l'avis du Conseil de la Dette sur tous les contrats de nouvelles concessions ou de prorogation de concessions, à accorder à des ressortissants ottomans ou de tous autres. Afin de permettre au Conseil de la Dette de remplir sa mission en toute connaissance de cause, le Gouvernement turc devra donner au Conseil et à son représentant toutes les facilités nécessaires pour l'accomplissement de sa mission auprès des administrations intéressées.	(Supprimé.)
Article 61.	
Le Conseil de la Dette s'entendra avec le Gouvernement Turc pour la création de titres au porteur, représentant un montant nominal de 15 millions de livres turques or, qui porteront la signature du Gouvernement Turc et dont le service sera assuré par les annuités précitées. Ces titres seront appelés "Bons de Liquidation"; leur forme et leur montant seront arrêtés par le Conseil de la Dette. Les Bons de Liquidation seront exempts de toutes taxes et de tous impôts établis ou à établir en Turquie	(Supprimé.)

Allied Draft Treaty of January 31, 1923.	*Turkish Counter-Proposals of March 8, 1923.*
Article 62.	
Les Bons de Liquidation seront remis par le Conseil de la Dette aux Gouvernements intéressés ou à telle autorité qui sera désignée par eux pour être distribués aux ayants droit.	(Supprimé.)
Article 63.	
Le Conseil de la Dette fera le service de l'intérêt et de l'amortissement des Bons de Liquidation. L'amortissement aura lieu par tirage au sort, conformément à un tableau établi par le Conseil de la Dette. Les dépenses relatives à l'émission et au service des Bons de Liquidation seront supportées par le Gouvernement turc et payées sur le produit des gages affectés à la garantie des bons. Elles auront sur ces gages un privilège de premier rang.	(Supprimé.)
Article 64.	
Le Gouvernement turc aura à toute époque le droit de rembourser au pair la totalité ou une partie des bons restant en circulation. Le Gouvernement turc aura également le droit de racheter aux porteurs les bons à telles conditions qui pourront être convenues entre eux et le Gouvernement. Les bons ainsi rachetés devront être présentés pour annulation au Conseil de la Dette et les annuités à verser par le Gouvernement turc seront réduites en conséquence.	(Supprimé.)
SECTION 3.	SECTION 3.
Clauses Diverses.	Clauses Diverses.
Article 65.	*Article*
Les Etats en faveur desquels un territoire a été détaché de la Turquie, acquerront gratuitement tous biens et propriétés situés dans ce territoire et enregistrés au nom de l'Empire Ottoman, *et de la Liste Civile.*	Les Etats en faveur desquels un territoire a été détaché de la Turquie, acquerront gratuitement tous biens et propriétés situés dans ce territoire et enregistrés au nom de l'Empire Ottoman. *Les droits de la Liste Civile sur les biens et propriétés situés dans lesdits territoires et inscrits en son nom sont maintenus.*
Article 66.	
Les bénéficiaires de pensions civiles et militaires turques devenus, en vertu du présent Traité, ressortissants d'un Etat autre que la Turquie, ne pourront exercer du chef de leurs pensions aucun recours contre le Gouvernement turc.	(Maintenu.)

Allied Draft Treaty of January 31, 1923.

Article 67.

La Turquie reconnaît le transfert de toutes les créances que l'Allemagne, l'Autriche, la Bulgarie et la Hongrie possèdent contre elle, conformément à l'article 261 du Traité de Paix conclu à Versailles le 28 juin 1919 avec l'Allemagne et aux articles correspondants des Traités de Paix du 10 septembre 1919 avec l'Autriche, du 27 novembre 1919 avec la Bulgarie et du 4 juin 1920 avec la Hongrie.

Les autres Puissances Contractantes conviennent de *ne demander aucun paiement à* la Turquie *sur les* créances qui leur sont ainsi transférées.

Les créances que la Turquie possède contre l'Allemagne, l'Autriche, la Bulgarie et la Hongrie sont également transférées auxdites Puissances Contractantes

Article 68.

Le Gouvernement turc, d'accord avec les autres Puissances Contractantes, déclare libérer le Gouvernement allemand des obligations contractées par celui-ci pendant la guerre d'accepter des billets émis par le Gouvernement turc à un taux de change déterminé, en paiement de marchandises à exporter d'Allemagne en Turquie après la guerre.

Article 69.

Les sommes en or transférées par l'Allemagne et l'Autriche en vertu de l'article 259 –1° du Traité de Paix du 28 juin 1919 avec l'Allemagne et de l'article 210 1° du Traité de Paix du 10 septembre 1919 avec l'Autriche, seront remises à la Turquie, sous la seule réserve de servir de garantie supplémentaire au paiement des cinq premières annuités dues en vertu de la Section 2 de la présente Partie et aux conditions suivantes:

Si le paiement de ces annuités a lieu à l'échéance, une somme en or équivalente à la somme versée par le Gouvernement turc sera mise immédiatement à la disposition de ce Gouvernement. Après le paiement de la cinquième annuité, le Gouvernement turc recevra le solde des sommes en or visées par l'alinéa précédent.

Si, pour une raison quelconque, les annuités dues par la Turquie aux autres Puissances Contractantes n'étaient pas payées à l'échéance ou n'étaient payées qu'incomplètement, lesdits sommes en or seraient immédiatement employées au règlement de ces annuités.

Turkish Counter-Proposals of March 8, 1923.

Article

La Turquie reconnaît le transfert de toutes les créances que l'Allemagne, l'Autriche, la Bulgarie et la Hongrie possèdent contre elle, conformément à l'Article 261 du Traité de Paix conclu à Versailles le 28 juin 1919 avec l'Allemagne et aux articles correspondants des Traités de Paix du 10 septembre 1919 avec l'Autriche, du 27 novembre 1919 avec la Bulgarie et du 4 juin 1920 avec la Hongrie.

Les autres Puissances Contractantes conviennent de *libérer* la Turquie *des* créances qui leur sont ainsi transférées.

Les créances que la Turquie possède contre l'Allemagne, l'Autriche, la Bulgarie et la Hongrie sont également transférées auxdites Puissances Contractantes.

(Maintenu.)

Article

Allied Draft Treaty of January 31, 1923.

Sont annulées toutes obligations de paiement mises à la charge du Conseil d'Administration de la Dette Publique Ottomane tant par la Convention du 20 juin 1331 (3 juillet 1915) relative aux bons de monnaie turcs de la première émission, que par le texte porté au verso de ces bons, *le Gouvernement turc demeurant responsable vis-à-vis des porteurs de ces mêmes bons.*

Article 70.

Le Gouvernement turc confirme la validité et assurera l'exécution de tous contrats et règlements intervenus antérieurement au 1er novembre 1922 entre le Gouvernement de l'ancien Empire Ottoman d'une part, et le Conseil d'Administration de la Dette Publique Ottomane, les ressortissants des autres Puissances Contractantes et les Sociétés ottomanes, où les intérêts de ces derniers sont prépondérants, d'autre part; il en sera ainsi spécialement des contrats et règlements relatifs aux avances consenties ce Gouvernement de l'ancien Empire Ottoman, aux répartitions de bénéfices convenues avec ce dernier et au service de la Dette Publique Ottomane.

PARTIE III.

CLAUSES ECONOMIQUES.

Article 71.

Dans la présente Partie, l'expression "Puissances alliées" s'entend des Puissances contractantes autres que la Turquie; les termes "ressortissants alliés" comprennent les personnes physiques, les sociétés, associations et établissements, ressortissant aux Puissances contractantes autres que la Turquie, ou à un Etat ou territoire sous le protectorat d'une desdites Puissances.

Les dispositions de la présente Partie relatives auxdits "ressortissants alliés," s'appliqueront également aux protégés des Puissances ci-dessus visées, dont la patente de protection est antérieure au 1er août 1914, si pendant la guerre ils ont subi des dommages du fait de la protection dont ils jouissaient

Turkish Counter-Proposals of March 8, 1923.

Sont annulées toutes obligations de paiement mises à la charge du Conseil d'Administration de la Dette Publique Ottomane tant par la Convention du 20 juin 1331 (3 juillet 1915) relative aux bons de monnaie turcs de la première émission, que par le texte porté au verso de ces bons.

(Supprimé.)

PARTIE III.

CLAUSES ECONOMIQUES

La Partie III (Clauses Economiques) allant de l'article 71 à 117 inclus sera disjointe du Traité de Paix.

Allied Draft Treaty of January 31, 1923.

SECTION I.

Biens, Droits et Intérêts.

Article 72.

Les biens, droits et intérêts existant encore ou qui pourront être identifiés sur un territoire qui se trouvait placé sous la souveraineté ottomane à la date du 1er Août 1914 et qui demeurera sous la souveraineté turque à la date du présent Traité, appartenant à des ressortissants alliés, lesquels n'étaient pas, pendant la guerre, ressortissants ottomans, ou à des sociétés dans lesquelles les intérêts alliés sont prépondérants, seront immédiatement restitués aux ayants droit.

Il en sera de même pour les biens, droits et intérêts turcs existant encore ou qui peuvent être identifiés sur un territoire qui se trouvait placé sous la souveraineté des Puissances alliées à la date du 1er Août 1914.

Les Gouvernements des Hautes Parties Contractantes prendront toutes les mesures en leur pouvoir pour remettre, par une prompte procédure administrative, le propriétaire en possession de son bien, libre de toutes charges ou servitudes dont il aurait été grevé sans l'autorisation du propriétaire et indemniser tout tiers lésé par la restitution.

A cet effet, toutes les mesures exceptionnelles de guerre ou mesures de disposition prises par les Hautes Parties Contractantes à l'égard des biens, droits et intérêts ennemis seront immédiatement levées ou arrêtées lorsque la liquidation n'en aura pas été terminée et les réclamations des propriétaires recevront satisfaction par la restitution immédiate de leurs biens dès que ces biens auront été identifiés.

Tous litiges relatifs à l'identité des biens réclamés ou à leur restitution seront soumis au Tribunal arbitral mixte institué par la Section 6 de la présente Partie.

Article 73.

La Turquie facilitera, tant par des mesures administratives appropriées que par la livraison de tous documents y afférents, la recherche sur son territoire et la restitution des objets mobiliers de toute sorte, y compris espèces, titres et valeurs, enlevés, saisis ou séquestrés par ses armées et ses administrations, sur des territoires des autres Puissances contractantes et qui se trouvent à présent sur le territoire de la Turquie et sur celui de ses alliés auxquels, en vertu de traités, de

Allied Draft Treaty of January 31, 1923.

cessions ou d'attributions de quelque nature que ce soit, les objets ci-dessus auraient pu être transférés par la Turquie.

La recherche et la restitution s'effectueront aussi pour les objets susvisés, saisis ou séquestrés par les armées et administrations alliées de la Turquie sur un territoire des autres Puissances contractantes et qui auraient été attribués cédés en vertu de traités, ou de toute autre manière, à la Turquie ou à ses ressortissants.

Les requêtes afférentes à ces recherches et restitutions seront introduites auprès du Gouvernement turc par le Gouvernement intéressé dans un délai de six mois à dater de la mise en vigueur du présent Traité.

Article 74.

Les biens, droits et intérêts qui ont fait l'objet de mesures de disposition ou de mesures exceptionnelles quelconques de la part des autorités des Hautes Parties Contractantes et qui existent encore ou qui peuvent être identifiés sur un territoire placé sous la souveraineté ottomane à la date du 1er Août 1914, et détaché de la Turquie par le présent Traité, et qui appartiennent à des ressortissants des Hautes Parties Contractantes, y compris les anciens ressortissants ottomans acquérant de plein droit la nationalité d'une Puissance alliée ou d'un nouvel Etat, conformément aux dispositions du présent Traité, seront immédiatement restitués aux ayants droit ou les Gouvernements intéressés.

Cette obligation de restituer ne s'appliquera pas aux biens, droits et intérêts des ressortissants turcs, qui ont fait l'objet de mesures exceptionnelles de guerre ou actes de guerre de la part du Gouvernement ottoman, avant la date du 30 Octobre 1918.

Les Gouvernements des Hautes Parties Contractantes prendront toutes les mesures en leur pouvoir pour remettre, par une prompte procédure administrative, le propriétaire évincé en possession de son bien libre de toutes charges ou servitudes dont il aurait été grevé sans l'autorisation dudit propriétaire.

A cet effet, toutes les mesures exceptionnelles de guerre, ou mesures de disposition prises par les Hautes Parties Contractantes à l'égard des biens, droits et intérêts ennemis, seront immédiatement levées ou arrêtées lorsque la liquidation n'en aura pas été terminée et les réclamations des propriétaires rece

vront satisfaction par la restitution immédiate de leurs biens dès que ces biens auront été identifiés.

Tous litiges relatifs à l'identité des biens réclamés ou à leur restitution seront soumis au Tribunal arbitral mixte institué par la Section 6 de la présente Partie.

Article 75.

Tout impôt ou taxe, ou surtaxe, qui, sans être perçu sur les ressortissants ottomans, leurs biens, droits et intérêts, aurait été perçu sur les personnes des ressortissants alliés, leurs biens, droits et intérêts, ainsi que tout impôt ou taxe de quelque nature ou sous quelque dénomination que ce soit, qui aurait été perçu sur lesdites personnes, leurs biens, droits et intérêts ou leur activité économique contrairement au statut dont ils jouissaient en Turquie, au moment de la déclaration de la guerre, seront ristournés auxdits ressortissants ou à leurs ayants droit pour toute la période où, aux termes du présent article, ils ont été indûment perçus.

Lesdits impôts ou taxes ne pourront être exigés des ressortissants alliés, ainsi que des sociétés alliées, qui ne les auraient pas acquittés au cours de la période de guerre et jusqu'à la mise en vigueur du présent Traité, non plus que tous impôts ou taxes dont lesdits ressortissants ou sociétés alliées auraient été exonérés par le Gouvernement impérial ottoman ou par les autorités occupantes des Puissances alliées sur le territoire turc.

Article 76.

Si les biens, droits et intérêts des ressortissants turcs qui se trouvaient situés, à la date du 1er Août 1914, sur le territoire des Puissances alliées ont subi des dommages ou préjudices du fait de mesures exceptionnelles de guerre, ou ont été légalement liquidés, et de ce fait ne sont pas restitués, le propriétaire aura droit à une indemnité équitable fixée à défaut d'accord par le Tribunal arbitral mixte institué par la Section 6 de la présente Partie.

Toutefois, aucune réclamation ne sera recevable, en ce qui concerne les biens restitués, pour les dommages résultant de mesures de gestion, surveillance, ou, en général, toutes mesures conservatoires, prises en conformité des lois et règlements du pays intéressé, et, en ce qui concerne les biens liquidés, pour le fait de la liquidation, si du moins le produit de celle-ci a été équitablement obtenu.

Article 77.

Pour l'exécution des articles 72 à 76, les demandes et actions relatives aux restitutions ou indemnités devront être introduites auprès des autorités compétentes dans le délai de six mois et, à défaut d'accord, auprès du Tribunal arbitral mixte dans le délai de 18 mois à partir de la mise en vigueur du présent Traité.

Article 78.

Les dispositions de la présente Section ne porteront point préjudice aux réclamations ou actions introduites auprès du Gouvernement ottoman avant le 1er août 1914 par les Gouvernements des autres Parties contractantes, ou leurs ressortissants au sujet de leurs biens, droits ou intérêts. Ces réclamations ou actions seront poursuivies dans les mêmes conditions auprès du Gouvernement turc.

Article 79.

Si les biens, droits et intérêts des ressortissants alliés (à l'exclusion des ressortissants grecs) qui se trouvaient sur un territoire placé sous la souveraineté ottomane à la date du 1er août 1914 n'existent plus, ou ont subi des dommages résultant soit de faits de guerre, soit de mesures de réquisition, soit de mesures de séquestre, disposition ou confiscation, soit de tout acte ou décision préjudiciable, le propriétaire aura droit à une indemnité que les Puissances alliées lui accorderont sur les sommes prévues à cet effet à l'article 57 (Clauses financières) et conformément à la procédure fixée par elles.

Article 80.

Le Gouvernement turc se déclare prêt à indemniser intégralement les Sociétés établies sous une autre loi que celle d'une Puissance alliée, mais où les intérêts alliés sont prépondérants tant pour les dommages résultant de tous actes de guerre, que des mesures de réquisition, séquestre ou disposition et en général de tout acte ou omission du Gouvernement turc ayant entraîné pour lesdites sociétés une privation de jouissance ou un préjudice matériel.

Le Gouvernement turc pourra offrir auxdites sociétés, en remplacement de tout ou partie des indemnités qui leur lui dues, des avantages ou privilèges économiques de tous ordres.

Si un accord n'intervient pas dans un délai d'un an à partir de la mise en vigueur du présent Traité, entre le Gouvernement turc et lesdites sociétés, la question sera soumise à une commission de trois arbitres dont l'un sera désigné par le Gouvernement turc, le second par la société réclamante et le troisième d'accord entre les parties ou, à défaut d'accord, par le Président de la Cour Permanente de Justice Internationale.

Les arbitres évalueront en espèces le montant des indemnités dues par le Gouvernement turc aux sociétés. Ils apprécieront le cas échéant, si les avantages économiques proposés par le Gouvernement turc à la société et acceptés par elle constituent une réparation équitable de ces dommages. Les arbitres pourront fixer un solde en espèces à la charge du Gouvernement turc.

Les décisions de la Commission arbitrale seront souveraines et immédiatement exécutoires.

Article 81.

Le Gouvernement turc et les Gouvernements des territoires détachés de la Turquie en vertu du présent Traité, procéderont, chacun dans leur territoire et si la demande en est faite dans les conditions fixées à l'alinéa suivant, à la liquidation des biens, droits et intérêts appartenant à l'Allemagne, à l'Autriche, à la Hongrie et à la Bulgarie ou à leurs ressortissants à la date de la mise en vigueur du présent Traité.

Les biens, droits et intérêts à liquider seront désignés en Turquie, par la Commission des Réparations établie par les Traités de paix conclus avec l'Allemagne, l'Autriche, la Hongrie et la Bulgarie. Ils seront désignés dans les territoires détachés de la Turquie par les gouvernements y exerçant l'autorité. Cette désignation devra intervenir dans le délai de six mois à dater de la mise en vigueur du présent Traité et la liquidation devra être effectuée dans le délai d'un an à dater de cette désignation.

Le produit des liquidations, qu'elles aient été déjà ou non effectuées, sera versé à la Commission des Réparations établie par le Traité de paix conclu avec l'Etat intéressé et les biens liquidés sont la propriété de l'Etat allemand, autrichien, hongrois ou bulgare. Il sera versé directement aux propriétaires et les biens liquidés sont une propriété privée.

Ne feront pas l'objet de la liquidation prévue au présent article les biens, droits et intérêts à l'égard desquels il aura été

fait usage des dispositions de l'article 260 du Traité de paix avec l'Allemagne et des articles correspondants des Traités de paix avec l'Autriche, la Hongrie et la Bulgarie.

SECTION II.

CONTRATS, PRESCRIPTIONS ET JUGEMENTS.

Article 82.

Restent en vigueur, sous réserve des dispositions qui y sont contenues ainsi que des stipulations du présent Traité, les contrats appartenant aux catégories indiquées ci-après, conclus entre parties devenues ennemies telles qu'elles sont définies à l'article 93 et antérieurement à la date indiquée audit article:

(*a*) Contrats ayant pour objets le transfert ou la livraison de biens immobiliers, lorsque ce transfert ou cette livraison ont eu lieu en fait avant la date ci-dessus mentionnée;

(*b*) Baux, contrats de location et promesses de location;

(*c*) Contrats relatifs à l'exploitation de mines, de forêts ou de domaines agricoles;

(*d*) Contrats d'hypothèque, de gage et de nantissement;

(*e*) Contrats constitutifs de sociétés, à moins que ces sociétés n'aient été dissoutes en vertu de la loi nationale de la Puissance alliée intéressée;

(*f*) Contrats passés entre les particuliers ou sociétés et l'Etat, les provinces, municipalités ou autres personnes juridiques administratives analogues;

(*g*) Contrats relatifs au statut familial;

(*h*) Contrats relatifs à des donations ou à des libéralités de quelque nature que ce soit.

Le présent article ne pourra être invoqué pour donner validité à des contrats dont les dispositions ne seraient pas conformes aux lois du pays par lesquelles ils sont régis.

Article 83.

Les Contrats d'Assurance sont régis par les dispositions prévues à l'Annexe de la présente Section.

Article 84.

Les contrats, autres que ceux énumérés aux articles 82 et 83, passés entre ennemis antérieurement à la date où les parties

sont devenues ennemies, seront considérés comme ayant été annulés à partir de la même date.

Toutefois, dans le cas de marchés à livrer, si le fournisseur justifie avoir commencé, avant ladite date, l'exécution du contrat et subit du fait de son annulation un préjudice, il pourra réclamer, dans un délai de six mois à partir de la mise en vigueur du présent Traité, à l'autre partie une indemnité correspondant au préjudice subi et, à défaut d'accord, demander au Tribunal arbitral mixte prévu à la Section 6 de la présente Partie d'en fixer le montant.

Article 85.

Pour tous les contrats autres que ceux énumérés aux articles 82 et 83, chacune des parties en contact pourra en réclamer l'exécution jusqu'à l'expiration d'un délai de six mois à partir de la mise en vigueur du présent Traité à la condition de verser à l'autre partie, s'il y a lieu, une indemnité correspondant à la différence entre les conditions du moment où le contrat a été conclu et celles du moment où son maintien est réclamé. Cette indemnité à défaut d'accord entre les parties, sera fixé par le Tribunal arbitral mixte.

Article 86.

Est confirmée la validité de toutes transactions intervenues avant la mise en vigueur du présent Traité entre les parties aux contrats indiqués aux articles 82 à 85 et ayant pour objet notamment la résiliation, le maintien, les modalités d'exécution ou la modification de ces contrats, y compris les accords portant sur la monnaie de paiement ou sur le taux de change.

Article 87.

Sont reconnus valables et soumis au droit commun les contrats entre ressortissants alliés et turcs, ainsi que les contrats entre ressortissants alliés et le Gouvernement Impérial Ottoman ou les autorités occupantes des Puissances alliées conclus postérieurement au 30 octobre 1918.

Pour l'application du présent article les Sociétés établies dans une loi autre que celle d'une Puissance alliée, mais où les intérêts alliés sont prépondérants, seront considérées comme ressortissants alliés.

Article 88.

Tous les différends, quels qu'ils soient, relatifs aux contrats conclus avant la mise en vigueur du présent Traité entre

les ressortissants turcs et les ressortissants alliés seront réglés par le Tribunal arbitral mixte, à l'exception toutefois des différends qui, par application des lois des Puissances neutres, seraient de la compétence des tribunaux nationaux de ces Puissances. Dans ce cas ces différends seront réglés par ces tribunaux nationaux à l'exclusion du Tribunal arbitral mixte.

Article 89.

Sur le territoire des Hautes Parties Contractantes, dans les rapports entre les ennemis, tous délais quelconques de prescription, de péremption ou forclusion de procédure, qu'ils aient commencé à courir avant le début de la guerre ou après, seront considérés comme ayant été suspendus depuis le 29 octobre 1914 jusqu'à l'expiration de trois mois après la mise en vigueur du présent Traité.

Cette disposition s'applique, notamment aux délais stipulés dans les lois, règlements et décrets relatifs à toutes concessions et permis de toute nature, ainsi qu'aux délais de présentation de coupons, d'intérêts et de dividendes, et de présentation, en vue de remboursement, des valeurs sorties au tirage ou remboursables à tout autre titre.

En raison des dispositions de la législation du Japon, le présent article, ainsi que l'article 83, ne s'applique pas aux contrats conclus par des ressortissants japonais avec des ressortissants turcs.

Article 90.

Dans les rapports entre ennemis, aucun effet de commerce passé avant la guerre ne sera considéré comme invalidé par le seul fait de n'avoir pas été présenté pour acceptation ou pour paiement dans les délais voulus, ni pour défaut d'avis aux tireurs ou aux endosseurs, de non-acceptation ou de non paiement, ni en raison du défaut de protêt, ni pour défaut d'accomplissement d'une formalité quelconque pendant la guerre.

Si la période pendant laquelle un effet de commerce aurait dû être présenté à l'acceptation ou au paiement, ou pendant laquelle l'avis de non acceptation ou de non paiement aurait dû être donné aux tireurs ou endosseurs, ou pendant laquelle il aurait dû être protesté, est échue pendant la guerre, et si la partie, qui aurait dû présenter ou protester l'effet ou donner avis de la non acceptation ou du non paiement, ne l'a pas fait pendant la guerre il lui sera accordé au moins trois mois après la mise en vigueur du présent

Traité pour présenter l'effet, donner avis de non acceptation ou de non paiement ou dresser protêt.

Article 91.

Les jugements rendus ou les mesures d'exécution ordonnées pendant la guerre par une autorité judiciaire ou administrative ottomane quelconque qui, au 1er août 1914, était incompétente pour juger ou décider en ce qui concerne les droits d'une personne qui était alors ressortissante d'une Puissance alliée ou les droits d'une société dans laquelle les intérêts alliés étaient prépondérants seront sujets à revision, à la diligence de ce ressortissant ou de cette société, par le Tribunal arbitral mixte. En pareil cas, les parties seront, s'il est possible et équitable, replacées dans la situation ou elles se trouvaient avant le jugement rendu ou la mesure d'exécution ordonnée par l'autorité ottomane; sinon, le ressortissant d'une Puissance alliée, ou la société dans laquelle des intérêts alliés étaient prépondérants, qui aura subi un préjudice du fait du jugement ou de la mesure d'exécution, pourra obtenir telle réparation que le Tribunal arbitral mixte jugera équitable, cette réparation étant à la charge du Gouvernement turc.

Article 92.

Sera considérée comme valable, en cas de non paiement, la vente d'un immeuble hypothéqué ou d'un gage constitué par contrats conclus avant la guerre, pour garantie d'une dette due par l'ennemi, alors même qu'avis n'a pu être donné au propriétaire, si le créancier a agi de bonne foi et en prenant les soins et précautions raisonnables. Dans ce cas, le propriétaire ne pourra formuler aucune réclamation en raison de la vente de l'immeuble hypothéqué ou du gage.

Si, cependant, le créancier n'a pas agi de bonne foi et n'a pas pris les soins et précautions raisonnables, le Tribunal arbitral mixte pourra, sur recours du débiteur, condamner le créancier à indemniser ce dernier.

Article 93.

Au sens de la présente Section les personnes parties à un contrat seront considérées comme ennemies à partir de la date à laquelle le commerce entre elles sera devenu impossible en fait ou aura été interdit ou sera devenu illégal en vertu des lois, décrets ou règlements auxquels une de ces parties était soumise.

Toutefois, les dispositions prévues dans les articles 82 à 85, 89 et 90 ne s'appliquent pas aux contrats passés dans un pays ennemi, avec des ressortissants ennemis, par des ressortissants des Puissances alliées ou de la Turquie, ayant séjourné dans ce pays pendant la guerre et y ayant disposé librement de leur personne et de leurs biens. Ces contrats seront soumis au droit commun.

ANNEXE.

I. Assurance sur la Vie.

§ 1.

Les contrats d'assurances sur la vie, passés entre un assureur et une personne devenue par la suite ennemie, ne seront pas considérés comme annulés par l'ouverture des hostilités ou par le fait que la personne est devenue ennemie.

Toute somme assurée devenue effectivement exigible pendant la guerre, aux termes d'un contrat qui, en vertu du paragraphe précédent, n'est pas considéré comme annulé, sera recouvrable après la guerre. Cette somme sera augmentée des intérêts à 5 p. 100 l'an depuis la date de son exigibilité jusqu'au jour du paiement

Si le contrat est devenu caduc pendant la guerre par suite du non-paiement des primes, ou s'il est devenu sans effet par suite du non-accomplissement des clauses du contrat, l'assuré ou ses représentants ou ayants droit auront le droit, à tout moment pendant douze mois à dater du jour de la mise en vigueur du présent Traité, de réclamer à l'assureur la valeur de rachat de la police au jour de sa caducité ou de son annulation, augmentée des intérêts à 5 p. 100 l'an.

Les ressortissants turcs dont les contrats d'assurance sur la vie, souscrits antérieurement au 29 octobre 1914, ont été annulés ou réduits, antérieurement au Traité, pour non-paiement des primes, conformément aux dispositions desdits contrats, auront la faculté pendant un délai de trois mois à compter de la mise en vigueur du présent Traité, et s'ils sont alors vivants, de rétablir leurs polices pour le plein du capital assuré. A cet effet, ils devront, après avoir passé devant le Docteur de la Compagnie une visite médicale jugée satisfaisante par celle-ci, verser les primes arriérées augmentées des intérêts composés à 5 p. 100.

§ 2.

Il est entendu que les contrats d'assurances sur la vie, souscrits en monnaie autre que la livre turque, conclus avant le 29 octobre 1914 entre les Sociétés d'une Puissance alliée et les ressortissants turcs pour lesquels des primes ont été payées antérieurement et postérieurement à la date du 30 Mars 1915, ou même seulement avant cette date seront réglés: 1° en arrêtant les droits de l'assuré, conformément aux conditions générales de la police, pour la période antérieure au 30 mars 1915 dans la monnaie stipulée au contrat telle qu'elle a cours dans le pays dont cette monnaie émane (par exemple, toute somme stipulée en francs, en francs-or, ou en francs effectifs sera payée en francs français); 2° en livres turques papier—la livre turque étant censée valoir le pair d'avant-guerre—pour la période postérieure au 30 mars 1915.

Si les ressortissants turcs dont les contrats sont conclus dans une monnaie autre que la monnaie turque, justifient avoir continué depuis le 30 mars 1915 à acquitter leurs primes en la monnaie stipulée aux contrats lesdits contrats seront réglés dans cette même monnaie, telle qu'elle a cours dans le pays dont elle émane, même pour la période postérieure au 30 mars 1915.

Les ressortissants turcs dont les contracts, conclus avant le 29 octobre 1914 dans une monnaie autre que la monnaie turque, avec des sociétés de nationalité d'une Puissance alliée, sont, par suite du paiement des primes, encore en vigueur, auront la faculté pendant un délai de trois mois, à compter de la mise en vigueur du présent Traité, de rétablir leurs polices pour le plein du capital dans la monnaie stipulée dans leur contrat telle qu'elle a cours dans le pays dont elle émane. A cet effet, ils devront verser en cette monnaie les primes échues depuis le 30 mars 1915. Par contre, les primes effectivement versées par eux en livres turques papier depuis ladite date leur seront remboursées dans la même monnaie.

§ 3

En ce qui concerne les assurances contractées en livres turques le règlement sera fait en livres turques papier.

§ 4

Les dispositions des paragraphes 2 et 3 ne seront pas applicables aux assurés qui, par une convention expresse, auront déjà

régularisé avec la société d'assurance la valorisation de leurs polices et le mode de paiement de leurs primes, ni à ceux dont les polices seront définitivement réglées à la date de la mise en vigueur du présent Traité.

§ 5.

Pour l'application des paragraphes précédents seront considérés comme contrats d'assurances sur la vie les contrats d'assurances qui se basent sur les probabilités de la vie humaine combinée avec le taux d'intérêt pour le calcul des engagements réciproques des deux parties.

II. Assurances Maritimes.

§ 6.

Ne sont pas considérés comme annulés, sous réserve des dispositions qui y sont énoncées, les contrats d'assurances maritimes au cas où le risque avait commencé à courir avant que les parties fussent devenues ennemies et à la condition qu'il ne s'agisse pas de couvrir des sinistres résultant d'actes de guerre accomplis par la Puissance à laquelle ressortit l'assureur ou par les Alliés de cette Puissance.

III. Assurance Incendie et autres Assurances.

§ 7.

Ne sont pas considérés comme annulés, sous la réserve énoncée au paragraphe précédent, les contrats d'assurances contre l'incendie ainsi que tous autres contrats d'assurances.

SECTION 3.

Concessions.

Article 94.

Les ressortissants alliés, bénéficiaires de concessions accordées avant le 29 octobre 1914 par le Gouvernement ottoman ou toute autorité locale, sur des territoires restant turcs en vertu du présent Traité, seront rétablis par le Gouvernement turc dans l'intégralité des droits et obligations résultant du contrat de concession primitif et de tous accords subséquents antérieurs au 29 octobre 1914.

Sont de même confirmées, même si la Turquie n'a pas rempli toutes les conditions nécessaires à leur confirmation

définitive, toutes conventions ou contrats de concessions, ainsi que les accords et décisions y relatifs, conclus entre la Turquie et les ressortissants alliés avant le 29 octobre 1914, s'ils ont reçu un commencement d'exécution ou ont fait l'objet d'accords entre le gouvernement ottoman et un gouvernement allié.

La durée de toute concession ainsi que l'échéance de tout délai prévu dans une concession seront prorogées d'une période égale du temps écoulé entre le 29 octobre 1914 et la date de la mise en vigueur du présent Traité.

Il sera, toutefois, tenu compte de cette prorogation dans l'évaluation de l'indemnité qui serait accordée aux concessionnaires en application de l'article 80, ainsi que dans la réadaptation prévue à l'alinéa suivant.

Dans le cas où les concessions, conventions et accords susvisés ne répondraient pas aux nouvelles conditions économiques, le Gouvernement turc et les bénéficiaires s'entendront entre eux en vue d'une revision et d'une réadaptation à ces nouvelles conditions.

Dans le délai d'un an à dater de la mise en vigueur du présent Traité et à défaut d'accord amiable entre les parties sur les conditions de cette réadaptation, la décision sera déférée devant trois arbitres : l'un des arbitres sera désigné par le concessionnaire, le deuxième arbitre sera désigné par le gouvernement turc, et le troisième sera, à défaut d'accord entre les intéressés, désigné par le Président de la Cour Permanente de Justice Internationale.

Les accords intervenus depuis le 30 octobre 1918 entre le gouvernement ottoman et les bénéficiaires des contrats et concessions visés au présent article sont confirmés.

Le gouvernement turc s'engage à maintenir ou à rétablir les ressortissants alliés dans les droits et obligations stipulés par les concessions, permis et contrats y relatifs acquis par eux directement ou par voie à transfert.

Toutes dispositions législatives ou autres, postérieures au 29 octobre 1914 et préjudiciables aux droits visés dans le présent article, sont nulles et non avenues.

Article 95.

En vue d'assurer la transformation en un réseau d'Etat turc des chemins de fer dans lesquels les intérêts turcs ou alliés ne sont pas prépondérants, le gouvernement turc procédera, dans un délai d'un

an à dater de la mise en vigueur du présent Traité, soit au rachat, soit à la reprise desdits chemins de fer. Au cas où le gouvernement turc procéderait à leur reprise, un arbitre désigné par la Société des Nations fixera le montant de l'indemnité à verser au concessionnaire d'après la valeur réelle et actuelle de l'entreprise, diminuée du montant des travaux effectués depuis le 30 octobre 1918.

Les Gouvernements alliés, dont les ressortissants ont des intérêts prépondérants dans les entreprises de chemins de fer en Turquie faciliteront, en ce qui les concerne, la transformation prévue au paragraphe précédent. Des accords ultérieurs détermineront la nature de ce concours et les modes de cette transformation. Il sera assuré aux capitaux turcs dans l'organisme d'exploitation une participation au moins égale à celle du groupe étranger le plus important.

Article 96.

Dans tous les territoires détachés de la Turquie, soit à la suite des guerres balkaniques en 1913, soit en vertu du présent Traité, l'Etat successeur, étant subrogé de plein droit dans les droits et charges de la Turquie vis-à-vis des concessionnaires ou bénéficiaires de contrats, visés à l'article 94, devra conserver à ceux-ci les garanties qui leur avaient été affectées ou leur en attribuer d'équivalentes.

Cette subrogation aura effet pour chaque Etat successeur à dater de la mise en vigueur du Traité par lequel le transfert du territoire a été stipulé. Ledit Etat prendra toutes mesures utiles pour que l'exploitation des concessions et l'exécution des contrats puissent être continuées sans aucune interruption.

Toutefois, dès la mise en vigueur du présent Traité, des négociations pourront être engagées entre les Etats successeurs et les bénéficiaires des concessions et contrats, à l'effet d'adapter d'un commun accord les dispositions desdites concessions et desdits contrats aux nouvelles conditions économiques.

Il sera tenu compte dans cette réadaptation des charges qu'entraînerait pour le concessionnaire la nécessité de se conformer à la législation desdits Etats.

A défaut d'accord, dans les six mois, sur les conditions de la réadaptation, l'Etat ou les bénéficiaires soumettront leurs contestations à l'arbitrage selon la procédure prévue à l'article 94.

Article 97.

Dans les territoires détachés de la Turquie, les Puissances alliées ne seront pas tenues de reconnaître la validité des concessions ou transferts de concessions accordées par le Gouvernement ottoman ou par les autorités locales ottomanes postérieurement au 29 octobre 1914.

Article 98.

Par application de l'article 155 du Traité de paix avec l'Allemagne et des articles correspondants des Traités de paix avec l'Autriche, avec la Hongrie et avec la Bulgarie, sont déclarés nuls toutes les concessions ou tous droits dans une concession accordée en Turquie depuis le 1er août 1914 jusqu'à la mise en vigueur du présent traité à des ressortissants allemands, autrichiens, hongrois ou bulgares ou à des sociétés dans lesquelles les intérêts desdits ressortissants sont prépondérants.

Article 99.

Toute société constituée conformément à la loi ottomane et fonctionnant dans des territoires détachés de la Turquie, soit à la suite des guerres balkaniques, soit en vertu du présent Traité, et où des intérêts alliés sont prépondérants, aura, pendant cinq ans à dater de la mise en vigueur du présent Traité, la faculté de transférer ses biens, droits et intérêts à toute autre société constituée en conformité de la loi soit de l'Etat exerçant l'autorité sur le territoire en question, soit de l'un des Etats alliés dont les ressortissants contrôlent ladite société. La société à qui les biens, droits et intérêts auront été transférés jouira des mêmes droits et privilèges dont jouissait la société précédente, y compris ceux que lui confèrent les dispositions du présent Traité.

Les dispositions qui précèdent ne s'appliquent pas aux sociétés concessionnaires de services publics dont une partie de l'exploitation demeurerait en territoire turc.

Les sociétés auxquelles seront transférés, en vertu du présent article, des biens, droits et intérêts de sociétés ottomanes, ne seront soumises sur les territoires détachés de la Turquie à aucune taxe spéciale du fait de ce transfert ou de leur constitution en vue de ce transfert s'il n'y est fait obstacle par des conventions internationales en vigueur. Il en sera de même sur le territoire de celle des Puissances contractantes dont

ces sociétés prendraient la nationalité, à moins que cette Puissance n'y fasse opposition en vertu de sa législation propre.

Article 100.

Les sociétés établies sous une loi autre que celle d'une Puissance alliée dans lesquelles les ressortissants ou groupes alliés ont des intérêts prépondérants bénéficieront des dispositions des articles 94 à 96 dans les mêmes conditions que les ressortissants alliés.

SECTION 4

DETTES.

Article 101.

Les dettes, en monnaie ottomane, autres que la Dette Publique Ottomane visée dans la Section I de la Partie II (Clauses financières) du présent Traité, du Gouvernement ottoman ou ses ressortissants résidant sur le territoire turc à la date de la mise en vigueur du présent Traité à l'égard des Gouvernements des Puissances Alliées ou leurs ressortissants qui, au 1er août 1914, n'étaient ni ressortissants ottomans ni résidant en Turquie ou y exerçant une activité seront payées ou créditées dans la monnaie des Puissances Alliées intéressées, y compris leurs colonies et protectorats, les Dominions britanniques et l'Inde, sans distinguer selon que les dettes étaient exigibles avant la guerre ou que, résultant de transactions ou contrats dont l'exécution totale ou partielle a été suspendue du fait de la guerre, elles sont devenues exigibles pendant la guerre.

Il en sera de même pour les dettes en monnaie ottomane des Gouvernements des Puissances Alliées et leurs ressortissants non résidant en Turquie ou y exerçant une activité, envers le Gouvernement Ottoman ou ses ressortissants résidant en Turquie.

Le taux de change à appliquer sera celui d'avant guerre. Pour l'application de cette disposition, on considère que le taux de change d'avant guerre est égal à la moyenne des taux des transferts télégraphiques de la Puissance alliée intéressée pendant le mois qui a précédé immédiatement l'ouverture des hostilités entre ladite Puissance et la Turquie.

Les dettes en monnaie ottomane des ressortissants alliés qui, au premier août 1914, résidaient en Turquie ou y exerçaient une activité, envers les

ressortissants turcs et réciproquement, seront réglées en monnaie turque.

Si les dettes de part et d'autre sont exprimées dans une autre monnaie que la monnaie ottomane, le règlement aura lieu dans la monnaie convenue au contrat, telle qu'elle a cours dans le pays d'où elle émane.

Les dettes réglées d'un commun accord entre parties avant la mise en vigueur du présent Traité, sans qu'une réserve expresse soit faite quant au taux de change, ne seront pas soumises aux dispositions du présent article.

Les dispositions du présent article, en ce qui concerne le taux de change ne s'appliqueront pas aux dettes ou créances des personnes résidant dans les territoires détachés de la Turquie en vertu du présent Traité.

Les sociétés ottomanes dans lesquelles les intérêts des ressortissants alliés sont prépondérants seront, pour l'application du présent article, considérées comme ressortissants alliés.

SECTION 5

Propriété Industrielle, Littéraire ou Artistique

Article 102.

Sous réserve des stipulations du présent Traité, les droits de propriété industrielle, littéraire ou artistique tels qu'ils existaient au 1er août 1914 conformément à la législation de chacun des Pays contractants, seront rétablis ou restaurés, à partir de la mise en vigueur du présent Traité, dans les territoires des Hautes Parties Contractantes, en faveur des personnes qui en étaient lésées à cette moment où l'état de guerre a commencé d'exister, ou de leurs ayants-droit. De même, les droits qui, si la guerre n'avait pas eu lieu, auraient pu être acquis pendant la durée de la guerre, à la suite d'une demande légalement faite pour la protection de la propriété industrielle ou de la publication d'une œuvre littéraire ou artistique, seront reconnus et rétablis en faveur des personnes qui y auraient des titres, à partir de la mise en vigueur du présent Traité.

Sans préjudice des droits qui doivent être restaurés en vertu de la disposition ci-dessus tous actes (y compris l'octroi de licences), faits en vertu des mesures spéciales qui auraient été prises pendant

la guerre par une autorité législative, exécutive ou administrative d'une Puissance alliée à l'égard des droits des ressortissants ottomans en matière de propriété industrielle, littéraire ou artistique, demeureront valables et continueront à avoir leurs pleins effets. Cette stipulation s'appliquera *mutatis mutandis* aux mesures correspondantes des autorités turques prises à l'égard des droits des ressortissants d'une Puissance Alliée quelconque.

Article 103.

Un délai minimum d'une année, à partir de la mise en vigueur du présent Traité, sans surtaxe ni pénalité d'aucune sorte, sera accordé aux ressortissants turcs sur le territoire de chacune des autres Puissances contractantes et aux ressortissants de ces Puissances en Turquie pour accomplir tout acte, remplir toute formalité, payer toute taxe et généralement satisfaire à toute obligation prescrite par les lois et les règlements de chaque Etat pour conserver ou obtenir les droits de propriété industrielle déjà acquis au 1er août 1914 ou qui, si la guerre n'avait pas eu lieu, auraient pu être acquis depuis cette date, à la suite d'une demande faite, avant la guerre ou pendant sa durée, ainsi que pour y former opposition.

Les droits de propriété industrielle qui auraient été frappés de déchéance par suite d'un défaut d'accomplissement d'un acte, d'exécution d'une formalité ou de paiement d'une taxe, seront remis en vigueur, sous la réserve toutefois, en ce qui concerne les brevets et dessins, que chaque Puissance pourra prendre les mesures qu'elle jugerait équitablement nécessaires pour la sauvegarde des droits des tiers qui auraient exploité ou employé des brevets ou des dessins pendant le temps où ils étaient frappés de déchéance.

La période comprise entre le 1er août 1914 et la date de la mise en vigueur du présent Traité, n'entrera pas en ligne de compte dans le délai prévu pour la mise en exploitation d'un brevet ou pour l'usage de marques de fabrique ou de commerce ou de dessins et il est convenu en outre qu'aucun brevet, marque de fabrique ou de commerce, ou dessin qui était encore en vigueur au 1er août 1914 ne pourra être frappé de déchéance ou d'annulation, du seul chef de non-exploitation ou de non-usage, avant l'expiration d'un délai de deux ans à partir de la mise en vigueur du présent Traité.

Article 104.

Aucune action ne pourra être intentée ni aucune revendication exercée, d'une part, par des ressortissants ou par des personnes résidant ou exerçant leur industrie en Turquie, et d'autre part, par des ressortissants des Puissances alliées ou des personnes résidant ou exerçant leur industrie sur le territoire de ces Puissances, ni par les tiers auxquels ces personnes auraient cédé leurs droits pendant la guerre, à raison de faits qui se seraient produits sur le territoire de l'autre partie, entre la date de l'état de guerre et celle de la mise en vigueur du présent Traité et qui auraient pu être considérés comme portant atteinte à des droits de propriété industrielle ou de propriété littéraire ou artistique ayant existé à un moment quelconque pendant la guerre ou qui seront rétablis conformément à l'article 102.

Parmi les faits ci-dessus visés, sont compris l'utilisation par les Gouvernements des Hautes Parties Contractantes ou par toute personne pour le compte de ces Gouvernements ou avec leur assentiment de droits de propriété industrielle, littéraire ou artistique, aussi bien que la vente, la mise en vente ou l'emploi de produits, appareils, articles ou objets quelconques auxquels s'appliqueraient ces droits.

Article 105.

Les contrats de licence, d'exploitation de droits, de propriété industrielle ou de reproduction d'œuvres littéraires ou artistiques, conclus avant l'état de guerre entre les ressortissants des Puissances alliées ou des personnes résidant sur leurs territoires ou y exerçant leur industrie d'une part, et des ressortissants ottomans, d'autre part, seront considérés comme résiliés à dater de l'état de guerre entre la Turquie et la Puissance Alliée. Mais, dans tous les cas, le bénéficiaire primitif d'un contrat de ce genre aura le droit, dans un délai de six mois à dater de la mise en vigueur du présent Traité d'exiger du titulaire des droits la concession d'une nouvelle licence dont les conditions, à défaut d'entente entre les Parties, seront fixées par le Tribunal Arbitral Mixte prévu à la Section 6 de la présente Partie. Le Tribunal pourra, s'il y a lieu, fixer alors le montant des redevances qui lui paraîtra justifié en raison de l'utilisation des droits pendant la guerre.

Article 106.

Les habitants des territoires détachés de la Turquie en vertu du présent Traité conserveront, nonobstant cette séparation et le changement de nationalité qui en résultera, la pleine et entière jouissance en Turquie de tous les droits de propriété industrielle et de propriété littéraire et artistique, dont ils étaient titulaires, suivant la législation ottomane, au moment de ce transfert.

Les droits de propriété industrielle, littéraire et artistique en vigueur sur les territoires détachés de la Turquie en vertu du présent Traité au moment de cette séparation ou qui seront rétablis ou restaurés par l'application de l'article 102, seront reconnus par l'Etat auquel sera transféré ledit territoire et demeureront en vigueur sur ce territoire pour la durée qui leur sera accordée suivant la législation ottomane.

Article 107.

Sont confirmés tout octroi de brevets d'invention ou enregistrement de marques de fabrique aussi bien que tout enregistrement de transfert ou cession de brevets ou de marques de fabrique qui ont été dûment effectués depuis le 30 octobre 1918 par le Gouvernement Impérial Ottoman à Constantinople ou ailleurs.

SECTION 6

Tribunal Arbitral Mixte

Article 108.

Un Tribunal arbitral mixte sera constitué entre chacune des Puissances alliées, d'une part, et la Turquie, d'autre part, dans un délai de trois mois à dater de la mise en vigueur du présent Traité.

Chacun de ces Tribunaux sera composé de trois membres. Chacun des Gouvernements intéressés désignera un de ces membres. Le Président sera choisi à la suite d'un accord entre les deux Gouvernements intéressés.

Au cas où cet accord ne serait pas réalisé dans le délai de deux mois à compter de la date de la mise en vigueur du présent Traité, ledit Président sera désigné, à la demande d'un des Gouvernements intéressés, parmi les personnes ressortissantes à des Puissances demeurées neutres pendant la guerre, par le Président de la Cour Permanente de Justice Internationale de La Haye.

De même si, dans ledit délai de deux mois, un des Gouvernements intéressés ne nomme pas le membre devant le représenter au Tribunal, il appartiendra au Conseil de la Société des Nations de procéder à la nomination de ce membre, à la demande de l'autre Gouvernement intéressé.

Article 109.

Si le nombre des affaires le justifie, d'autres membres devront être désignés pour que chaque Tribunal arbitral mixte puisse se diviser en plusieurs sections. Chacune de ces sections devra être composée comme il a été dit à l'article 108.

Chaque Gouvernement désignera un ou plusieurs agents pour le représenter devant le Tribunal.

Chaque Gouvernement paiera les honoraires du membre du Tribunal arbitral mixte qu'il nomme et de tout agent qu'il désignera pour le représenter devant le Tribunal. Les honoraires du Président seront fixés par accord spécial entre les Gouvernements intéressés, et ces honoraires, ainsi que les dépenses communes de chaque Tribunal, seront payés par moitié par les deux Gouvernements.

Article 110.

Les Tribunaux arbitraux mixtes, créés en vertu des articles 108 et 109, jugeront les différends qui sont de leur compétence en vertu du présent Traité.

La décision de la majorité des membres sera celle du Tribunal.

Les Hautes Parties Contractantes conviennent de considérer les décisions des Tribunaux arbitraux mixtes comme définitives, et de les rendre obligatoires pour leurs ressortissants et d'en assurer l'exécution sur leurs territoires dès que la notification des sentences leur sera parvenue sans qu'il soit besoin d'aucune procédure d'exequatur.

Les Hautes Parties Contractantes s'engagent en outre à ce que leurs Tribunaux et autorités prêtent directement aux Tribunaux arbitraux mixtes toute l'aide qui sera en leur pouvoir, spécialement en ce qui concerne la transmission des notifications et la réunion des preuves.

Article 111.

1. Chaque Tribunal arbitral mixte établira lui-même sa procédure. Il décidera de l'ordre et des délais dans lesquels chaque partie devra présenter ses conclusions et réglera les formalités requises pour l'administration des preuves. Il jugera en droit et en équité.

2. Les avocats et conseils des deux parties seront autorisés à présenter oralement et par écrit au Tribunal la défense de leur cause.

Allied Draft Treaty of January 31, 1923.

3. Le Tribunal décidera de toutes questions et espèces qui lui seront soumises, d'après les preuves, témoignages et informations qui pourront être produits par les parties intéressées.

4. Pour la procédure, la langue employée sera la langue du pays où le Tribunal a son siège et le français, et pour les audiences, sera la langue du pays où se tiennent les audiences et le français.

5. Les sièges, lieux et date des audiences de chaque Tribunal seront déterminés par le Président du Tribunal.

6. Le Tribunal conservera les archives des procès qui lui seront soumis et de la procédure y relative, avec mention des dates.

7. Chacune des Puissances intéressées pourra nommer un secrétaire. Ces secrétaires constitueront le secrétariat mixte du Tribunal et seront sous ses ordres. Le Tribunal pourra désigner en outre tous les fonctionnaires qui lui paraîtront nécessaires.

8. En cas de décès ou de démission d'un membre du Tribunal, ou si un membre du Tribunal se trouve, pour une raison quelconque, dans l'impossibilité de remplir ses fonctions, il sera procédé à son remplacement conformément aux principes et modalités indiqués à l'article 108.

Dans ces divers cas, le délai de deux mois, spécifié dans les deux derniers alinéas de l'article 108, commencera à compter du décès ou de la démission ou de la date à laquelle aura été constatée l'impossibilité ci-dessus mentionnée.

SECTION 7

Traités.

Article 112.

Dès la mise en vigueur du présent Traité et sans préjudice des dispositions qui y sont contenues par ailleurs, les Traités, Conventions et Accords pluri-latéraux de caractère économique ou technique énumérés ci-après entreront de nouveau en vigueur entre la Turquie et celles des autres Puissances contractantes qui y sont parties :

(1.) Conventions du 14 mars 1884, du 1er décembre 1886 et du 23 mars 1887, et Protocole de clôture du 7 juillet 1887, relatifs à la protection des câbles sous-marins.

(2°) Convention du 5 juillet 1890, relative à la publication des tarifs de douane et à l'organisation d'une Union internationale pour la publication des tarifs douaniers;

(3°) Arrangement du 9 décembre 1907, relatif à la création de l'Office international d'hygiène publique à Paris;

(4°) Convention du 7 juin 1905, relative à la création d'un Institut international agricole à Rome;

(5°) Convention du 27 juin 1855, relative à l'emprunt turc;

(6°) Convention du 16 juillet 1863, relative au rachat des droits de péage sur l'Escaut;

(7°) Convention du 29 octobre 1888, relative à l'établissement d'un régime destiné à garantir le libre usage du Canal de Suez, et sous réserve des stipulations spéciales prévues par l'article 18 du présent Traité;

(8°) Conventions et Arrangements de l'Union postale universelle, y compris les Conventions et Arrangements signés à Madrid le 30 novembre 1920;

(9°) Conventions télégraphiques internationales, signées à Saint-Pétersbourg le 10/22 juillet 1875; Règlements et tarifs arrêtés par la Conférence télégraphique internationale de Lisbonne le 11 juin 1908.

Article 113.

La Turquie s'engage à adhérer aux Conventions ou Accords énumérés ci-après et à les ratifier:

(1°) Convention du 11 octobre 1909, relative à la circulation internationale des automobiles;

(2°) Accord du 15 mai 1886, relatif au plombage des wagons assujettis à la douane et Protocole du 18 mai 1907;

(3°) Convention du 23 septembre 1910, relative à l'unification de certaines règles en matière d'abordage, d'assistance et de sauvetage maritimes;

(4°) Convention du 21 décembre 1904, relative à l'exemption pour les bâtiments hospitaliers des droits et taxes dans les ports;

(5°) Conventions du 18 mai 1904, du 4 mai 1910, et du 30 septembre 1921, relatives à la répression de la traite des femmes;

(6°) Convention du 4 mai 1910, relative à la suppression des publications pornographiques;

(7°) Convention sanitaire du 17 janvier 1912 sous réserve des articles 54, 88 et 90;

(8°) Conventions du 3 novembre 1881

et du 15 avril 1889 relatives aux mesures à prendre contre le phylloxéra;

(9°) Convention sur l'Opium signée à La Haye le 23 janvier 1912 et Protocole additionnel de 1914;

(10°) Convention radiotélégraphique internationale du 5 juillet 1912;

(11°) Convention sur le régime des spiritueux en Afrique, signée à Saint Germain-en-Laye le 10 septembre 1919;

(12°) Convention portant revision de l'Acte général de Berlin du 26 février 1885 et de l'Acte général et de la Déclaration de Bruxelles du 2 juillet 1890 signée à Saint-Germain-en-Laye le 10 septembre 1919;

(13°) Convention du 13 octobre 1919 portant réglementation de la navigation aérienne;

(14°) Convention du 26 septembre 1906, signée à Berne, pour interdire l'usage du phosphore blanc dans la fabrication des allumettes.

La Turquie s'engage en outre à participer à l'élaboration de nouvelles Conventions internationales relatives à la télégraphie et à la radiotélégraphie.

Article 114.

Il appartiendra à chacune des Puissances alliées de s'entendre avec la Turquie, dans les douze mois qui suivront la mise en vigueur du présent Traité, sur les Traités, conventions et accords bilatéraux conclus avec elle et qu'il y aurait lieu de remettre en vigueur.

Article 115.

Aucune disposition des Traités, Conventions ou Accords conclus par la Turquie avec une Puissance quelconque ne sera opposable au présent Traité. La Turquie s'engage en conséquence à dénoncer toute disposition inconciliable avec le présent Traité.

SECTION 8.

Dispositions Diverses.

Article 116.

Les Hautes Parties contractantes sont d'accord pour abroger le régime économique résultant des capitulations. Les relations commerciales de la Turquie avec les autres Puissances contractantes seront régies par les dispositions de la Convention spéciale, signée en date de ce jour, qui aura même force et valeur, au regard

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des Hautes Parties contractantes, que si ces dispositions figuraient dans le présent Traité	
Article 117.	
Les marchandises et produits originaires ou à destination du Maroc (zone française), ainsi que les marchandises et produits originaires ou à destination de la Tunisie, seront soumis en Turquie au même régime que les marchandises françaises.	
Les marchandises et produits originaires ou à destination de la Libye seront soumis en Turquie au même régime que les marchandises italiennes.	
PARTIE IV.	**PARTIE IV.**
VOIES DE COMMUNICATIONS ET QUESTIONS SANITAIRES.	VOIES DE COMMUNICATIONS ET QUESTIONS SANITAIRES.
SECTION I.	SECTION I.
VOIES DE COMMUNICATIONS.	VOIES DE COMMUNICATIONS.
Article 118.	
La Turquie déclare adhérer à la Convention et au Statut sur la liberté du transit adopté par la Conférence de Barcelone, le 14 avril 1921, ainsi qu'à la Convention et au Statut sur le régime des voies navigables d'intérêt international adoptés par ladite Conférence le 19 avril 1921 et au Protocole additionnel.	(Maintenu.)
En conséquence, la Turquie s'engage à mettre en application les dispositions de ces Conventions, et Statuts et Protocole dès la mise en vigueur du présent Traité.	
Article 119.	
La Turquie déclare adhérer à la Déclaration de Barcelone en date du 20 avril 1921 "portant reconnaissance du droit au trafic des Etats dépourvus d'un littoral maritime."	(Maintenu.)
Article 120.	
La Turquie déclare adhérer aux Recommandations de la Conférence de Barcelone en date du 20 avril 1921 concernant les ports soumis au régime international. La Turquie fera connaître ultérieurement les ports qui seront placés sous ce régime.	(Maintenu.)
Article 121.	
La Turquie déclare adhérer aux Recommandations de la Conférence de Barcelone en date du 20 avril 1921 con-	(Maintenu.)

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cernant les voies ferrées internationales. Ces recommandations seront mises en application par le Gouvernement turc dès la mise en vigueur du présent Traité et sous réserve de réciprocité.	
Article 122.	
La Turquie s'engage à souscrire dès la mise en vigueur du présent Traité, aux Conventions et Arrangements signés à Berne le 14 octobre 1890, le 20 septembre 1893, le 16 juillet 1895, le 16 juin 1898, et le 19 septembre 1906 sur le transport des marchandises par voies ferrées.	(Maintenu.)
Article 123.	
Lorsque, par suite du tracé des nouvelles frontières, une ligne reliant deux parties d'un même pays traversera un autre pays, ou lorsqu'une ligne d'un gouvernement partant d'un pays se terminera dans un autre, les conditions d'exploitation, en ce qui concerne le trafic entre les deux pays, seront réglées par un arrangement à conclure entre les administrations de chemins de fer intéressées. Au cas où ces administrations ne parviendraient pas à se mettre d'accord sur les conditions de cet arrangement, ces conditions seraient fixées par voie d'arbitrage.	(Maintenu.)
L'établissement de toutes les nouvelles gares frontières entre la Turquie et les Etats limitrophes, ainsi que l'exploitation des lignes entre ces gares seront réglés par des arrangements conclus dans les mêmes conditions.	
Article 124.	
Sous réserve de stipulations particulières relatives au transfert des ports et voies ferrées appartenant soit au Gouvernement turc soit à des sociétés privées, et situés dans les territoires détachés de la Turquie en vertu du présent Traité, et sous réserve également des dispositions financières du présent Traité relativement aux concessionnaires et au service des pensions de retraite du personnel, le transfert des voies ferrées aura lieu dans les conditions suivantes:	(Maintenu.)
(1°) Les ouvrages et les installations de toutes les voies ferrées seront laissés en complet et en aussi bon état que possible;	
(2°) Lorsqu'un réseau ayant un matériel roulant à lui propre sera situé en entier sur un territoire transféré, ce matériel sera laissé au complet, d'après le dernier inventaire au 30 octobre 1918.	

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(3°) Pour les lignes dont, en vertu du présent Traité, l'administration se trouvera répartie, la répartition du matériel roulant sera fixée par voie d'arrangement amiable entre les administrations, auxquelles diverses sections sont attribuées. Cet arrangement devra prendre en considération l'importance du matériel immatriculé sur ces lignes d'après le dernier inventaire au 30 octobre 1918, la longueur des voies y compris les voies de service, la nature et l'importance du trafic. En cas de désaccord, les différends seront réglés par voie d'arbitrage. Cet arbitrage désignera également, le cas échéant, les locomotives, voitures et wagons qui devront être laissés sur chaque section, fixera les conditions de leur réception et réglera les arrangements qu'il jugera nécessaires pour assurer, pendant une période limitée, l'entretien du matériel transféré dans les ateliers existants;	
(4°) Les approvisionnements, le mobilier et l'outillage seront laissés dans les mêmes conditions que le matériel roulant.	
Article 125.	
A moins de dispositions contraires, lorsque, par suite du tracé d'une nouvelle frontière, le régime des eaux (canalisations, inondations, irrigations, drainage ou questions analogues) dans un Etat dépend de travaux exécutés sur le territoire d'un autre Etat, ou lorsqu'il est fait usage sur le territoire d'un Etat, en vertu d'usages antérieurs à la guerre, des eaux ou de l'énergie hydraulique prises sur le territoire d'un autre Etat, il doit être établi une entente entre les Etats intéressés de nature à sauvegarder les intérêts et les droits acquis par chacun d'eux.	(Maintenu.)
A défaut d'accord, il sera statué par voie d'arbitrage.	
Article 126.	
La Roumanie et la Turquie s'entendront pour fixer équitablement les conditions d'exploitation du câble Constanza-Constantinople. A défaut d'entente la question sera réglée par voie d'arbitrage.	(Maintenu.)
Article 127.	
La Turquie renonce, en son propre nom et au nom de ses ressortissants, à tous droits, titres ou privilèges de quelque nature que ce soit, sur tout ou partie des câbles n'atterrissant plus sur son territoire.	(Maintenu.)

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Si les câbles ou portions de câbles, transférés conformément à l'alinéa précédent, constituent des propriétés privées, il appartiendra aux Gouvernements auxquels la propriété est transférée, d'indemniser les propriétaires. En cas de désaccord sur le montant de l'indemnité, celle-ci sera fixée par voie d'arbitrage.	
Article 128.	
La Turquie conservera les droits de propriété qu'elle posséderait déjà sur les câbles dont un atterrissage au moins reste en territoire turc.	(Maintenu.)
L'exercice des droits d'atterrissage desdits câbles en territoire non turc et les conditions de leur exploitation, seront réglés à l'amiable par les Etats intéressés. En cas de désaccord, le différend sera réglé par voie d'arbitrage.	
SECTION II.	SECTION II.
QUESTIONS SANITAIRES.	QUESTION SANITAIRES.
Article 129.	*Article* 129.
Le Conseil Supérieur de Santé de Constantinople est supprimé. L'administration turque est chargée de l'organisation sanitaire des côtes et frontières de la Turquie. *Toutefois, il est constitué un Comité sanitaire chargé de diriger le personnel, les lazarets, et les installations accessoires à la défense sanitaire des Détroits.*	Le Conseil Supérieur de Santé de Constantinople est supprimé. L'administration turque est chargé de l'organisation sanitaire des côtes et frontières de la Turquie.
Ce Comité sera composé d'un médecin turc diplômé, Président, et de trois médecins diplômés qui devront toujours appartenir à trois nationalités différentes. Ces derniers seront choisis par le Gouvernement turc sur une liste de six noms, dressée de concert par le Comité d'Hygiène de la Société des Nations et par l'Office International d'Hygiène Publique. Toutes les fois qu'il y aura lieu à remplacement, la liste des médecins proposés au choix du Gouvernement turc comprendra au moins deux fois autant de noms qu'il y aura de vacances à pourvoir.	
Les indemnités des membres du Comité seront payées sur le produit des taxes sanitaires; le montant en sera fixé par le Comité d'Hygiène de la Société des Nations.	
Le Comité Sanitaire des Détroits sera dissous à l'expiration d'un délai de cinq ans, à moins que le Gouvernement turc ne juge nécessaire d'en prolonger la durée.	

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	Déclaration relative aux Affaires Sanitaires.
	La Délégation Turque qui a eu l'honneur d'expliquer que l'organisation sanitaire turque est capable de satisfaire seule aux besoins sanitaires du pays et d'appliquer toutes les mesures scientifiques exigées par la situation déclare que le Gouvernement turc désire nommer pour cinq années trois médecins spécialistes européens comme conseillers de l'administration sanitaire des frontières.
	Ces médecins seront des fonctionnaires turcs et dépendront du Ministère de la Santé.
Article 130.	*Article .*
Le Comité rédigera ses statuts et le statut du personnel sanitaire des Détroits; il établira son budget annuel et le Gouvernement turc s'engage à couvrir les dépenses telles qu'elles seront fixées par le budget en prélevant les sommes nécessaires sur le produit des taxes sanitaires perçues dans tous les ports turcs, y compris les Détroits.	
Le Comité Sanitaire des Détroits édictera un règlement sanitaire pour les Détroits, en se conformant aux dispositions des Conventions sanitaires internationales, et de la Convention sur le régime des Détroits prévue à l'article 21 du présent Traité.	
Un seul et même tarif sanitaire sera appliqué à tous les navires sans distinguer entre le pavillon turc et les pavillons étrangers, et aux ressortissants des Puissances étrangères dans les mêmes conditions qu'aux ressortissants de la Turquie.	Un seul et même tarif sanitaire sera appliqué à tous les navires sans distinguer entre le pavillon turc et les pavillons étrangers, et aux ressortissants des Puissances étrangères dans les mêmes conditions qu'aux ressortissants de la Turquie.
Article 131.	(Maintenu.)
La Turquie s'engage à respecter entièrement le droit des employés sanitaires locaux à une indemnité à prélever sur les fonds sanitaires et tous les autres droits acquis des employés et ex employés sanitaires et de leurs ayants droit. Toutes les questions ayant trait à ces droits, à la destination à donner aux fonds de réserve de l'ex-Conseil Supérieur de Santé de Constantinople, à la liquidation financière et administrative de l'ancienne administration sanitaire et aux modalités de la transition de l'ancien au nouveau régime sanitaire en Turquie, ainsi que toute autre question semblable ou connexe seront réglées par une Commission *ad hoc*. Il est entendu que le reliquat des fonds de la réserve générale restant après que satisfaction aura été donnée aux droits ci-dessus mentionnés, sera affecté aux besoins du service sanitaire de la Turquie, soit dans les Détroits, soit en dehors des Détroits.	
Cette Commission sera composée d'un Représentant de chacune des Puissances qui faisaient partie du Conseil Supérieur de Santé de Constantinople, à l'exception de l'Allemagne, de l'Autriche et de la Hongrie.	
La Turquie s'engage à accepter toutes les décisions de cette Commission.	
Article 132.	
La Turquie et les Puissances intéressées à la surveillance sanitaire des pèlerinages de Jérusalem, et du Hedjaz et du chemin de fer du Hedjaz, prendront les mesures appropriées, conformément aux dispositions des Conventions sanitaires internationales. A l'effet d'assurer une complète uniformité d'exécution, ces Puissances et la Turquie constitueront une Commission de coordination sanitaire des pèlerinages, dans laquelle les services sanitaires de la Turquie et le Conseil sanitaire maritime et quarantenaire d'Alexandrie seront représentés.	(Maintenu.)
Cette Commission devra obtenir le consentement préalable de l'Etat sur le territoire duquel elle se réunira.	
Article 133.	
Des rapports sur les travaux de la Commission de coordination des pèlerinages seront adressés au Comité d'Hygiène de la Société des Nations et à l'Office International d'Hygiène Publique ainsi qu'au Gouvernement de tout Etat intéressé aux pèlerinages qui en ferait la demande. La Commission donnera son avis sur toute question qui lui sera posée par la Société des Nations, par l'Office International d'Hygiène Publique ou par les Gouvernements intéressés.	(Maintenu.)

PARTIE V.

CLAUSES DIVERSES.

1. Prisonniers de Guerre.

Article 134.

Les Hautes Parties Contractantes s'engagent à rapatrier immédiatement les prisonniers de guerre et internés civils qui seraient restés entre leurs mains. (Maintenu.)

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L'échange des prisonniers de guerre et internés civils détenus respectivement par la Grèce et la Turquie fait l'objet de l'accord particulier entre ces Puissances, signé le 1923	
Article 135	
Les prisonniers de guerre et internés civils qui sont passibles ou frappés de peines pour fautes contre la discipline, seront rapatriés sans qu'il soit tenu compte de l'achèvement de leur peine ou de la procédure engagée contre eux.	(Maintenu.)
Ceux qui sont passibles ou frappés de peines pour des faits autres que des infractions disciplinaires, pourront être maintenus en détention	
Article 136.	
Les Hautes Parties Contractantes s'engagent à donner sur leurs territoires respectifs toutes facilités pour la recherche des disparus ou l'identification des prisonniers de guerre et internés civils qui ont manifesté le désir de ne pas être rapatriés.	(Maintenu.)
Article 137	
Les Hautes Parties Contractantes s'engagent à restituer dès la mise en vigueur du présent Traité tous les objets, monnaie, valeurs, documents ou effets personnels de toute nature appartenant ou ayant appartenu aux prisonniers de guerre et internés civils, et qui auraient été retenus.	(Maintenu.)
Article 138	
Les Hautes Parties Contractantes déclarent renoncer au remboursement réciproque des sommes dues pour l'entretien des prisonniers de guerre capturés par leurs armées.	(Maintenu.)
2. SÉPULTURES	
Article 139	
Sans préjudice des dispositions particulières qui font l'objet de l'article 141 ci-après, les Hautes Parties Contractantes feront respecter et entretenir, sur les territoires soumis à leur autorité, les cimetières, sépultures, ossuaires et monuments commémoratifs des soldats et marins de chacune d'elles tombés sur le champ de bataille ou morts des suites de leurs blessures, d'accidents ou de maladies, depuis le 29 octobre 1914, ainsi que ceux des prisonniers de guerre et des	(Maintenu.)

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internés civils décédés en captivité depuis la même date.	
Les Hautes Parties contractantes s'entendront pour donner toutes facilités de remplir leur mission sur leurs territoires respectifs aux Commissions que chacune d'elles pourra charger d'identifier, d'enregistrer, d'entretenir lesdits cimetières, ossuaires et sépultures, et d'élever des monuments convenables sur leurs emplacements. Ces Commissions ne devront avoir aucun caractère militaire.	
Elles conviennent de se donner réciproquement, sous réserve des prescriptions de leur législation nationale et des nécessités de l'hygiène publique, toutes facilités pour satisfaire aux demandes de rapatriement des restes de leurs soldats et marins visés ci-dessus.	
Article 140.	
Les Hautes Parties contractantes s'engagent à se fournir réciproquement :	(Maintenu.)
1° la liste complète des prisonniers de guerre et internés civils décédés en captivité, en y joignant tous renseignements utiles à leur identification ;	
2° toutes indications sur le nombre et l'emplacement des sépultures des morts enterrés sans avoir été identifiés.	
Article 141.	
L'entretien des sépultures, cimetières, ossuaires et monuments commémoratifs des soldats, marins et prisonniers de guerre turcs morts sur le territoire roumain depuis le 27 août 1916, ainsi que toute autre obligation résultant des articles 139 et 140 en ce qui concerne les internés civils, feront l'objet d'un arrangement spécial entre le gouvernement roumain et le gouvernement turc.	(Maintenu.)
Article 142.	
Pour compléter les stipulations d'ordre général des articles 139 et 140, les gouvernements de l'Empire britannique, de la France et de l'Italie d'une part, et les gouvernements turc et hellénique d'autre part, conviennent des dispositions spéciales qui font l'objet des articles 143 à 151.	(Maintenu.)
Article 143.	
Le gouvernement turc s'engage, vis-à-vis des gouvernements de l'Empire britannique, de la France et de l'Italie, à leur concéder séparément à perpétuité, sur son territoire, les terrains	(Maintenu.)

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où se trouvent des sépultures, cimetières, ossuaires et monuments commémoratifs de leurs soldats et marins respectifs tombés sur le champ de bataille ou morts des suites de leurs blessures, d'accidents ou de maladies ainsi que de leurs prisonniers de guerre et internés civils décédés en captivité. Il leur concédera de même les terrains qui seront reconnus nécessaires à l'avenir, pour l'établissement de cimetières de groupement, d'ossuaires ou de monuments commémoratifs par les Commissions prévues à l'article 145

Il s'engage en outre à donner libre accès à ces sépultures, cimetières, ossuaires et monuments et à autoriser, le cas échéant, la construction des routes et chemins nécessaires.

Le gouvernement hellénique prend les mêmes engagements en ce qui concerne son territoire.

Les dispositions qui précèdent ne portent pas atteinte à la souveraineté turque ou suivant le cas à la souveraineté hellénique sur les territoires concédés

Article 144

Parmi les terrains à concéder par le gouvernement turc seront compris notamment pour l'Empire britannique ceux de la région d'Anzac (Ari Burnu) qui sont indiqués sur la carte No. 3.

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Parmi les terrains à concéder par le gouvernement turc seront compris notamment pour l'Empire britannique ceux de la région d'Anzac (Ari Burnu) qui sont indiqués sur la carte No. 3.

La Souveraineté du territoire susmentionné par l'Empire britannique sera soumise aux conditions suivantes :

1° *Ce terrain ne pourra pas être détourné de son affectation en vertu du Traité de Paix; en conséquence il ne devra être utilisé dans aucun but militaire ou commercial, ni dans quelques autres but étranger à l'affectation ci-dessus visée.*

2° *Le Gouvernement turc aura en tout temps le droit de faire inspecter ce terrain y compris les cimetières.*

3° *Le nombre de gardiens civils destinés à la garde des cimetières ne pourra être supérieur à un gardien par cimetière. Il n'y aura pas de gardiens spéciaux pour le terrain compris en dehors des cimetières.*

4° *Il ne pourra être construit dans ledit terrain tout à l'intérieur qu'à l'extérieur des cimetières que les bâtiments d'habitation strictement nécessaire aux gardiens*

5° *Il ne pourra être construit sur le rivage dudit terrain aucun quai, jetée ou appontement pouvant faciliter le*

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barquement ou l'embarquement des personnes ou des marchandises.

6° *Toutes formalités nécessaires ne pourront être remplies que sur la côte intérieure des Détroits et l'accès du terrain par la côte de la Mer Egée ne sera permis qu'après l'accomplissement desdites formalités.*

7° *Les personnes désirant visiter le terrain ne devront pas être armées et le gouvernement turc aura le droit de veiller à l'application de cet article, interdiction.*

8° *Le gouvernement turc devra être informé au moins une semaine à l'avance de l'arrivée de tout groupement de visiteurs dépassant* 150 *personnes.*

Article 145.

(Maintenu.)

Chacun des gouvernements britannique, français et italien désignera une Commission à laquelle les gouvernements turc et hellénique délégueront un représentant et qui sera chargée de régler sur place les questions concernant les sépultures, cimetières, ossuaires et monuments commémoratifs. Ces Commissions seront notamment chargées de

(1°) reconnaître les zones où les inhumations ont été ou ont pu être faites, et constater les sépultures, cimetières, ossuaires ou monuments existants;

(2°) fixer les conditions dans lesquelles il sera procédé, s'il y a lieu, à des regroupements de sépultures; désigner de concert avec le représentant turc en territoire turc, avec le représentant hellénique en territoire hellénique, les emplacements des cimetières de regroupement, des ossuaires et des monuments commémoratifs à établir; et déterminer les limites de ces emplacements en réduisant la surface occupée au minimum indispensable;

(3°) notifier aux gouvernements turc et hellénique, au nom de leurs gouvernements respectifs, le plan définitif des épultures, cimetières, ossuaires et monuments établis ou à établir, pour leurs nationaux.

Article 146.

(Maintenu.)

Les gouvernements concessionnaires s'engagent à ne pas donner ni laisser donner aux terrains concédés d'autres usages que ceux ci-dessus visés. Si ces terrains sont situés au bord de la mer, le rivage n'en pourra être utilisé pour aucun but militaire, maritime ou commercial quelconque par le gouvernement concessionnaire. Les terrains des sépultures et cimetières qui seraient désaffectés et qui

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ne seraient pas utilisés pour l'érection de monuments commémoratifs, feront retour au gouvernement turc ou, suivant le cas, au gouvernement hellénique.	
Article 147.	
Les mesures législatives ou administratives nécessaires pour concéder aux gouvernements britannique, français et italien la pleine et entière jouissance à perpétuité des terrains visés aux articles 143 à 145, devront être prises respectivement par le gouvernement turc et le gouvernement hellénique dans les six mois qui suivront la notification prévue à l'article 145, alinéa 3. Si des expropriations sont nécessaires, elles seront effectuées par les soins et aux frais des gouvernements turc et hellénique sur leurs territoires respectifs.	(Maintenu.)
Article 148.	
Les gouvernements britannique, français et italien seront libres de confier à tel organe d'exécution qu'ils jugeront convenable l'établissement, l'aménagement et l'entretien des sépultures, cimetières, ossuaires et monuments de leurs ressortissants. Ces organes ne devront pas avoir de caractère militaire. Ils auront seuls le droit de faire procéder aux exhumations et transferts de corps jugés nécessaires pour assurer le regroupement des sépultures et l'établissement des cimetières et ossuaires ainsi qu'aux exhumations et transferts des corps dont les gouvernements concessionnaires jugeraient devoir opérer le rapatriement.	(Maintenu.)
Article 149.	
Les gouvernements britannique, français et italien auront le droit de faire assurer la garde de leurs sépultures, cimetières, ossuaires et monuments commémoratifs situés en Turquie, par des gardiens désignés parmi leurs ressortissants. Ces gardiens devront être reconnus par les autorités turques et devront recevoir le concours de ces dernières pour assurer la sauvegarde des sépultures, cimetières, ossuaires et monuments. Ils n'auront aucun caractère militaire, mais pourront être armés, pour leur défense personnelle, d'un revolver ou pistolet automatique.	(Maintenu.)
Article 150.	
Les terrains visés dans les articles 143 à 146 ne seront soumis par la Turquie et les autorités turques, ou selon le cas par	(Maintenu.)

Allied Draft Treaty of January 31, 1923.	*Turkish Counter-Proposals of March* 8, 1923.
la Grèce et les autorités helléniques à aucune espèce de loyer, taxe ou impôt. Leur accès sera libre en tout temps aux représentants des gouvernements britannique, français et italien, ainsi qu'aux personnes désireuses de visiter les sépultures, cimetières, ossuaires et monuments commémoratifs. Le gouvernement turc et le gouvernement hellénique, respectivement, prendront à leur charge à perpétuité l'entretien des routes donnant accès auxdits terrains. Le gouvernement turc et le gouvernement hellénique, respectivement, s'engagent à accorder aux gouvernements britannique, français et italien toutes facilités pour leur permettre de se procurer la quantité d'eau nécessaire aux besoins du personnel affecté à l'entretien ou à la garde desdits cimetières, sépultures, ossuaires, monuments et pour l'irrigation du terrain.	
Article 151.	
Les gouvernements britannique, français et italien s'engagent à accorder au gouvernement turc le bénéfice des dispositions des articles 143 à 150 pour l'établissement des sépultures, cimetières, ossuaires et monuments commémoratifs des soldats et marins turcs reposant sur les territoires dépendant de leur autorité, y compris ceux de ces territoires qui sont détachés de la Turquie.	(Maintenu.)
3. Dispositions Generales.	
Article 152.	
Sans préjudice des dispositions de la Partie II (Clauses financières) et de la Partie III (Clauses économiques), est confirmée la validité de tous les ordres donnés, dépenses et affectations financières et en général de toutes les mesures prises en Turquie depuis le 30 octobre 1918 jusqu'à la mise en vigueur du présent Traité, par les autorités des Puissances ayant occupé Constantinople, concernant notamment l'administration publique y compris la police, ainsi que les biens, droits et intérêts privés de leurs ressortissants, des étrangers ou des ressortissants turcs et les rapports des uns et des autres avec les autorités de la Turquie. Il en est de même des ordres donnés et des mesures prises par les autorités desdites Puissances d'accord avec les autorités de la Turquie, ainsi que des ordres donnés et des mesures prises par	(Supprimé.)

Allied Draft Treaty of January 31, 1923.

les autorités de la Turquie d'accord avec les autorités desdites Puissances.

Aucune réclamation du gouvernement turc ou de ses ressortissants ne sera recevable vis-à-vis des Puissances ayant occupé Constantinople ou vis-à-vis de leurs ressortissants ou des étrangers, du chef des ordres ou mesures ci-dessus visés ou en raison d'omissions qui auraient pu être commises par les autorités desdites Puissances ou sur leurs ordres, relativement auxdits biens, droits et intérêts ou aux rapports de leurs ressortissants, des étrangers ou des ressortissants turcs avec les autorités de la Turquie.

Article 153.

Toutes décisions judiciaires rendues en Turquie depuis le 30 octobre 1918 jusqu'à la mise en vigueur du présent Traité, par un juge ou un tribunal des Puissances ayant occupé Constantinople, ensemble les mesures d'exécution, seront reconnues par le gouvernement turc.

Il en est de même des décisions rendues par la Commission judiciaire mixte provisoire constituée le 8 décembre 1921 par les autorités desdites Puissances d'accord avec le gouvernement impérial ottoman.

Article 154.

Dès la mise en vigueur du présent Traité, la Turquie remettra sans délai aux gouvernements intéressés les archives, registres, plans, titres et documents de toute nature appartenant aux administrations civile, militaire, financière, judiciaire ou autres des territoires *transférés. Si quelques-uns de ces documents, archives, registres, titres ou plans avaient été déplacés, ils seront restitués par la Turquie, sur la demande du gouvernement intéressé.*

Dans le cas où les archives, registres, plans, titres ou documents visés à l'alinéa 1" et n'ayant pas un caractère militaire concerneraient également les administra

Turkish Counter-Proposals of March 8, 1923.

Déclaration.

Aucune réclamation ne pourra être formulée contre les juges et autorités des Puissances ayant occupé Constantinople, du chef des décisions ou ordres donnés depuis le 30 octobre 1918 jusqu'à la mise en vigueur du présent Traité concernant les biens, droits et intérêts de leurs ressortissants, des étrangers ou des ressortissants turcs et les rapports des uns et des autres avec les autorités de la Turquie.

(Supprimé.)

Article .

Dès la mise en vigueur du présent Traité, la Turquie remettera sans délai aux gouvernements intéressés les archives, régistres, plans, titres et documents de toute nature *qui* appartenant aux administrations civile, militaire, financière, judiciaire, ou autres des territoires *détachés auraient été transférés en Turquie.*

Outre les archives, régistres, plans, etc. visés à l'alinéa 1" du présent article les copies des documents n'ayant pas un caractère militaire et concernant les territoires détachés pourront sur demande et à titre de réciprocité être données aux Gouvernements intéressés.

Allied Draft Treaty of January 31, 1923.

tions turques et où, en conséquence, leur remise ne pourrait avoir lieu sans préjudice pour ces dernières, la Turquie s'engage, sous condition de réciprocité, à en donner communication aux Gouvernements intéressés.

Le gouvernement turc s'engage spécialement à restituer au gouvernement hellénique les registres fonciers locaux ou tous autres registres publics qui concernent la propriété foncière dans les districts de l'ancien Empire ottoman transférés à la Grèce postérieurement à 1912, et que les autorités turques ont enlevés ou pu enlever au moment de l'évacuation.

Dans le cas où la restitution d'un ou de plusieurs registres serait impossible en raison de leur disparition ou pour toute autre cause, et s'il est nécessaire à la vérification des titres produits devant les autorités helléniques, le gouvernement hellénique aura le droit de prendre toutes copies nécessaires des mentions portées dans le registre foncier central à Constantinople.

Article 155.

Le gouvernement turc s'engage, à charge de réciprocité, à donner aux gouvernements exerçant l'autorité sur les territoires détachés de la Turquie conformément au présent Traité, ou dont le statut actuel est reconnu par la Turquie en vertu du présent Traité, libres accès aux archives et documents de toute nature concernant l'administration des Vakoufs *dans lesdits territoires ou les* Vakoufs *particuliers, en quelque lieu qu'ils soient situés, et dans lesquels sont intéressées des personnes ou des institutions établies sur lesdits territoires.*

Article 156.

La Turquie s'engage à reconnaître et agréer les Conventions passées ou à passer par les autres Puissances contractantes ou certaines d'entre elles avec toute autre Puissance, relativement au commerce des armes.

Article 157.

La Turquie accepte et reconnaît comme valable et obligatoires toutes décisions et tous ordres concernant les navires turcs et les marchandises turques, ainsi que toutes décisions et ordres relatifs au payment des frais et rendus par l'une quelconque des juridictions de prises des autres Puissances contractantes et s'engage à ne présenter, au nom de ses nationaux, aucune réclamation relativement à ces décisions ou ordres.

Turkish Counter-Proposals of March 8, 1923.

Les frais occasionnés par ces opérations seront à la charge de l'État requérant.

Les dispositions précédentes s'appliquent aux régistres fonciers concernant la propriété foncière dans des districts de l'ancien Empire Ottoman transférés à la Grèce postérieurement à 1912.

Article .

Les dispositions de l'article précédent seront appliquées dans les mêmes conditions aux archives et documents de toute nature concernant l'administration des rakoufs dans les territoires détachés de l'Empire Ottoman ou les rakoufs particuliers en quelque lieu qu'ils soient situés et dans lesquels sont intéressées les personnes ou des institutions établis sur lesdits territoires.

(Supprimé.)

Article .

Toutes décisions et tous ordres concernant les navires et les marchandises de l'une des Parties Contractantes ainsi que toutes décisions et ordres relatifs au payement des frais et rendus par les juridictions de prises de l'autre Partie jusqu'à la date du 30 octobre 1918 seront réciproquement considérés comme valables et obligatoires.

Les navires sous pavillon turc, ainsi postérieurement à cette date seront restitutés à leurs propriétaires.

Allied Draft Treaty of January 31, 1923.	*Turkish Counter-Proposals of March 8, 1923.*
Article 158.	
La Convention particulière, conclue le ..... 192..... entre la Grèce et la Turquie relativement à l'échange des populations grecques et turques aura entre ces deux Hautes Parties Contractantes même force et valeur que si elle figurait dans le présent Traité.	(Maintenu.)
Article 159.	
La Belgique, la Pologne, le Portugal et l'Etat tchéco-slovaque, dont les nations ont, au cours de la guerre 1914-1918, combattu aux côtés des Puissances concluant aujourd'hui la paix avec la Turquie, seront admises à accéder aux dispositions d'ordre économique et financier du présent Traité. Cette accession, qui rétablira en tant que de besoin l'état de paix entre la Puissance acédante et la Turquie, sera notifiée au gouvernement de la République française, qui en adressera une copie authentique aux Puissances signataires du présent Traité.	(Supprimé.)
	Article *L'Etat Serbe-Croate-Slovène et en ce qui concerne les territoires de la Grèce restés en dehors de l'application de la Convention sur l'échange des populations signée à Lausanne le 30 janvier 1923, le Gouvernement hellénique ainsi que les Gouvernements en faveur desquels des îles ont été détachées de la Turquie, soit en vertu du présent Traité soit à la suite des traités conclus après les guerres balkaniques s'engagent à respecter, conformément aux principes prévus par les divers traités et conventions conclus entre la Turquie et les Etats balkaniques antérieurement au 30 octobre 1914, les droits des Vakoufs musulmans sur leurs territoires respectifs.*
	Article *Le droit de propriété foncière dans les territoires mentionnés à l'article précédent, tel qu'il résulte de la loi ottomane sur les immeubles urbains et ruraux sera reconnu sans aucune restriction.* *Les propriétaires d'immeubles ou de meubles dans lesdits territoires continueront à jouir de tous leurs droits de propriété, même s'ils fixent à titre provisoire ou définitif leur résidence personnelle en dehors de ces territoires. Ils pourront affermer leurs biens ou les administrer par des tiers.*

Allied Draft Treaty of January 31, 1923.	*Turkish Counter-Proposals of March 8, 1923.*
	Les droits acquis antérieurement à l'annexion des territoires susdits, ainsi que les actes judiciaires et titres officiels émanant des autorités turques compétentes, seront respectés et inviolables jusqu'à la preuve légale du contraire.
	Article *Les musulmans résidant en dehors de la Grèce, de même que ceux qui ont émigré avant 1912 de la Grèce ou de l'île de Crète et qui y possèdent des propriétés, profiteront en ce qui concerne leurs biens situés sur le territoire hellénique à l'exception de la Thrace Occidentale, des dispositions de l'article 10 de la Convention sur l'échange des populations, signée le 30 janvier 1923 à Lausanne entre la Turquie et la Grèce.*
Article 160.	(Maintenu.)
Le présent Traité sera ratifié dans le délai le plus court que possible. Les ratifications seront déposées à Paris. Le gouvernement japonais aura la faculté de se borner à faire connaître au gouvernement de la République française par son représentant diplomatique à Paris que la ratification a été donnée et, dans ce cas, il devra transmettre l'instrument aussitôt que faire se pourra. Chacune des Puissances signataires ratifiera par un seul et même instrument le présent Traité, ensemble les autres actes signés par elle et prévus dans l'Acte Final de la Conférence de Lausanne, en tant que ceux-ci requièrent une ratification. Un premier procès-verbal de dépôt sera dressé dès que la Turquie d'une part et l'Empire britannique, la France, l'Italie, le Japon ou trois d'entre eux d'autre part, auront déposé l'instrument de leur ratification. Dès la date de ce premier procès-verbal, le Traité entrera en vigueur entre les Hautes Parties Contractantes qui l'auront ainsi ratifié. Il entrera ensuite en vigueur pour les autres Puissances à la date du dépôt de leur ratification. Le gouvernement français remettra à toutes les Puissances signataires une copie authentique des procès-verbaux de dépôt des ratifications. En foi de quoi les Plénipotentiaires susnommés ont signé le présent Traité. Fait à Lausanne le ..... 192... en un seul exemplaire qui sera déposé dans les archives du gouvernement de la République française, lequel en remettra	

Allied Draft Treaty of January 31, 1923.

une expédition authentique à chacune des Puissances signataires.

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(Signatures et cachets.)

PROJET DE DÉCLARATION

Les gouvernements (britannique, français, italien, ...) reconnaissant l'intérêt de la mesure d'apaisement qui a fait l'objet de l'article 5 de la Convention intervenue entre le gouvernement hellénique et le gouvernement turc pour la restitution des otages civils et l'échange des prisonniers de guerre, se déclarent disposés à adopter, moyennant réciprocité de la part du gouvernement turc, les mêmes dispositions au bénéfice des prisonniers de guerre et internés civils turcs qu'ils pourraient encore détenir à l'exception de ceux qui auraient commis des crimes et délits de droit commun postérieurement à la date du 20 novembre 1922.

Turkish Counter-Proposals of March 8, 1923.

(Maintenu.)

Document No. II of Final Act.

PROJET DE CONVENTION CONCERNANT LE RÉGIME DES DÉTROITS.

L'Empire Britannique, la France, l'Italie, le Japon, la Bulgarie, la Grèce, la Roumanie, la Russie, l'Etat Serbe-Croate-Slovène et la Turquie,

Soucieux d'assurer dans les Détroits à toutes les nations la liberté de passage et de navigation entre la Mer Méditerranée et la Mer Noire, conformément au principe consacré par l'Article 21* du Traité de paix en date de ce jour;

Et considérant que le maintien de cette liberté est nécessaire à la paix générale et au commerce du monde,

Ont résolu de conclure une Convention à cet effet et ont nommé pour leurs Plénipotentiaires respectifs, savoir :

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PROJET DE CONVENTION CONCERNANT LE RÉGIME DES DÉTROITS.

Ce projet de Convention est entièrement maintenu.

* *Projet d'article à insérer dans le Traité de Paix*

Les Hautes Parties Contractantes sont d'accord pour reconnaître et déclarer le principe de la liberté de passage et de navigation, par mer et dans les airs, en temps de paix comme en temps de guerre, dans les Détroits des Dardanelles, de la Mer de Marmara et le Bosphore.

La Convention spéciale conclue à la date de ce jour relativement au régime des Détroits, aura même force et valeur, au regard des Hautes Parties ici Contractantes, que si elle figurait dans le présent Traité.

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Lesquels, après avoir exhibé leurs pleins pouvoirs trouvés en bonne et due forme, sont convenus des dispositions ci-après.

Article 1.

Les Hautes Parties Contractantes sont d'accord pour reconnaître et déclarer le principe de la liberté de passage et de navigation par mer et dans les airs dans le Détroit des Dardanelles, la Mer de Marmara et le Bosphore, ci-après compris sous la dénomination générale de "Détroits."

Article 2.

Le passage et la navigation des navires et aéronefs de commerce et des bâtiments et aéronefs de guerre dans les Détroits en temps de paix et en temps de guerre seront dorénavant réglés par les dispositions de l'annexe ci-jointe.

ANNEXE.

RÈGLES POUR LE PASSAGE DES NAVIRES ET AÉRONEFS DE COMMERCE ET DES BÂTIMENTS ET AÉRONEFS DE GUERRE DANS LES DÉTROITS.

Paragraphe 1.—*Navires de commerce, y compris les navires hôpitaux, yachts et bateaux de pêche, ainsi que les aéronefs non militaires.*

(a) *en temps de paix:*

Complète liberté de navigation et de passage, de jour et de nuit, quels que soient le pavillon et le chargement, sans aucune formalité, taxe ou charge quelconques, sous réserves des dispositions sanitaires internationales, et si ce n'est pour services directement rendus, telles que taxes de pilotage, phares, remorquage ou autres de même nature, et sans qu'il soit porté atteinte aux droits exercés à cet égard par les services et entreprises actuellement concédés par le gouvernement turc.

Pour faciliter la perception de ces droits, les navires de commerce franchissant les Détroits devront signaler aux postes indiqués par le Gouvernement turc, leur nom, leur nationalité, leur tonnage et leur destination.

Le pilotage reste facultatif.

(b) *en temps de guerre, la Turquie restant neutre:*

Complète liberté de navigation et de passage, de jour et de nuit, dans les

mêmes conditions que ci-dessus. Les droits et devoirs de la Turquie, comme Puissance neutre, ne sauraient l'autoriser à prendre aucune mesure susceptible d'entraver la navigation dans les Détroits, dont les eaux et l'atmosphère doivent rester entièrement libres, en temps de guerre, la Turquie étant neutre, aussi bien qu'en temps de paix.

Le pilotage reste facultatif.

(c) *en temps de guerre, la Turquie étant belligérante:*

Liberté de navigation pour les navires neutres et les aéronefs non militaires neutres, si le navire ou l'aéronef n'assistent pas l'ennemi notamment en transportant de la contrebande, des troupes ou des ressortissants ennemis. La Turquie aura le droit de visiter lesdits navires et aéronefs, et, à cette fin, les aéronefs devront atterrir ou amerrir dans telles zones qui seront fixées et aménagées à cet effet par la Turquie. Il n'est pas porté atteinte aux droits de la Turquie d'appliquer aux navires ennemis les mesures admises par le droit international.

La Turquie aura pleine faculté de prendre telles dispositions qu'elle jugera nécessaires pour empêcher les navires ennemis d'utiliser les Détroits. Toutefois, ces dispositions ne seront pas de nature à interdire le libre passage des navires neutres, et, à cet effet, la Turquie s'engage à fournir à ceux-ci les instructions ou pilotes nécessaires.

Paragraphe 2.—Bâtiments de guerre, y compris les navires auxiliaires, les transports de troupes, les bâtiments porte-avions, et aéronefs militaires

(a) *en temps de paix:*

Complète liberté de passage de jour et de nuit, quel que soit le pavillon, sans aucune formalité, taxe ou charge quelconques, mais sous les réserves ci après concernant le total des forces.

La force maxima qu'une Puissance pourra faire passer par les Détroits à destination de la Mer Noire, ne dépassera pas celle de la flotte la plus forte appartenant aux Puissances riveraines de la Mer Noire et existant dans cette mer au moment du passage; toutefois, les Puissances se réservent le droit d'envoyer en Mer Noire en tout temps et en toute circonstance une force n'excédant pas trois bâtiments dont aucun ne dépassera 10,000 tonnes.

Aucune responsabilité n'incombera à la Turquie en ce qui concerne le nombre des bâtiments qui traversent les Détroits.

Pour permettre l'observation de la présente règle, la Commission des Détroits prévue à l'article 10 demandera à chaque Puissance riveraine de la Mer Noire le 1er Janvier et le 1er Juillet de chaque année le nombre de cuirassés, de croiseurs de bataille, de bâtiments porte-avions, de croiseurs, de destroyers, de sous-marins, ou de tous autres types de bâtiments ainsi que d'aéronefs navals, qu'elle possède en Mer Noire, en distinguant les bâtiments armés des bâtiments à effectifs réduits, en réserve, en réparations ou modification.

La Commission des Détroits informera alors les Puissances intéressées du nombre de cuirassés, croiseurs de bataille, bâtiments porte-avions, croiseurs, destroyers, sous-marins, aéronefs et éventuellement d'unités d'autres types, que comprend la force navale la plus forte dans la Mer Noire; en outre, tout changement résultant soit de l'entrée en Mer Noire, soit de la sortie de la Mer Noire, d'un bâtiment appartenant à ladite force sera immédiatement porté à la connaissance des Puissances intéressées.

Le nombre et la type des bâtiments armés sera seul pris en considération pour le calcul d'une force navale à faire passer par les Détroits à destination de la Mer Noire.

(b) *en temps de guerre, la Turquie étant neutre:*

Complète liberté de passage de jour et de nuit, quel que soit le pavillon, sans aucune formalité, taxe ou charge quelconques, sous les mêmes limitations que celles prévues au paragraphe 2 (a).

Toutefois, ces limitations ne sont pas applicables aux Puissances belligérantes au préjudice de leurs droits de belligérants en Mer Noire.

Les droits et devoirs de la Turquie comme Puissance neutre ne sauraient l'autoriser à prendre aucune mesure susceptible d'entraver la navigation dans les Détroits, dont les eaux et l'atmosphère doivent rester entièrement libres, en temps de guerre, la Turquie étant neutre, aussi bien qu'en temps de paix.

Il sera interdit aux bâtiments de guerre et aéronefs militaires des belligérants de procéder à aucune capture, d'exercer le droit de visite et de se livrer à aucun autre acte d'hostilité dans les Détroits.

En ce qui concerne le ravitaillement et les réparations, les bâtiments de guerre seront régis par les dispositions de la Convention XIII de La Haye 1907, concernant la neutralité maritime.

En attendant la conclusion d'une Convention internationale établissant les règles de neutralité pour les aéronefs, les aéronefs militaires jouiront dans les Détroits d'un traitement analogue à celui accordé aux bâtiments de guerre par la Convention XIII de La Haye 1907.

b) en temps de guerre, la Turquie étant belligérante:

Complète liberté de passage pour les bâtiments de guerre neutres sans aucune formalité, taxe ou charge quelconques, mais sous les mêmes limitations que celles prévues au paragraphe 2 (a).

Les mesures à prendre par la Turquie pour empêcher les bâtiments et aéronefs ennemis d'utiliser les Détroits ne seront pas de nature à interdire le libre passage des bâtiments et aéronefs neutres et à cet effet la Turquie s'engage à fournir auxdits bâtiments et aéronefs les instructions ou pilotes nécessaires.

Les aéronefs militaires neutres effectueront le passage des Détroits à leurs risques et périls et seront soumis au droit d'enquête quant à leur caractère. A cette fin les aéronefs devront atterrir ou amerrir dans telles zones qui seront fixées et aménagées à cet effet par la Turquie.

Paragraphe 3.—(*a*) Les sous-marins des Puissances en état de paix avec la Turquie ne devront traverser les Détroits qu'en surface.

(*b*) Le commandement d'une force navale étrangère venant soit de la Méditerranée, soit de la Mer Noire, communiquera, sans avoir à s'arrêter, à une station de signaux à l'entrée des Dardanelles ou du Bosphore le nombre et le nom des bâtiments sous ses ordres qui doivent entrer dans les Détroits.

La Turquie fera connaître ces stations de signaux, et jusqu'à ce que cette notification soit faite, la liberté de passage dans les Détroits pour les bâtiments de guerre étrangers n'en subsistera pas moins, l'entrée dans les Détroits ne devant pas être retardée.

(*c*) L'autorisation pour les aéronefs militaires et non militaires de survoler les Détroits dans les conditions prévues par les présentes règles implique pour lesdits aéronefs:

(1°) la liberté de survoler une bande de territoire de cinq kilomètres au-dessus de chaque côté des parties resserrées des Détroits;

(2°) la faculté, en cas de panne, d'atterrir sur le littoral ou d'amerrir dans les eaux territoriales de la Turquie.

Paragraphe 4.—*Limitation de la durée de passage des bâtiments de guerre.*

En aucun cas les bâtiments de guerre en transit dans les Détroits ne devront, sauf en cas d'avaries ou de fortune de mer, y séjourner au-delà du temps qui leur est nécessaire pour effectuer leur passage, y compris la durée du mouillage pendant la nuit si la sécurité de la navigation l'exige.

Paragraphe 5.—*Séjour dans les ports des Détroits et de la Mer Noire.*

(*a*) Les paragraphes 1, 2 et 3 de la présente Annexe s'appliquent au passage des navires, bâtiments de guerre et aéronefs au travers et au-dessus des Détroits et ne portent pas atteinte au droit de la Turquie d'édicter tels règlements qu'elle jugera nécessaires, en ce qui concerne le nombre des bâtiments de guerre et aéronefs militaires d'une même Puissance, qui pourront visiter simultanément les ports et les aérodromes turcs, ainsi que la durée de leur séjour.

(*b*) Les Puissances riveraines de la Mer Noire auront le même droit en ce qui concerne leurs ports et leurs aérodromes.

(*c*) Les bâtiments légers, que les Puissances actuellement représentées à la Commission européenne du Danube entretiennent comme stationnaires aux embouchures de ce fleuve et jusqu'à Galatz, s'ajouteront à ceux prévus au paragraphe 2 et pourront être remplacés en cas de besoin.

Paragraphe 6.—*Dispositions spéciales relatives à la protection sanitaire.*

Les bâtiments de guerre ayant à bord des cas de peste, de choléra ou de typhus ou en ayant eu depuis 7 jours, ainsi que les bâtiments ayant quitté un port contaminé depuis moins de cinq fois 24 heures, devront passer les Détroits en quarantaine et appliquer par les moyens du bord les mesures prophylactiques nécessaires pour éviter toute possibilité de contamination des Détroits.

Il en sera de même des navires de commerce ayant à bord un médecin et passant en droiture les Détroits sans faire escale ou rompre charge.

Les navires de commerce n'ayant pas de médecin à bord, devront, avant de

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pénétrer dans les Détroits même s'ils n'y doivent pas faire escale, satisfaire aux prescriptions sanitaires internationales.

Les bâtiments de guerre et les navires de commerce touchant dans un des ports des Détroits, seront soumis dans ce port aux prescriptions sanitaires *internationales* qui y sont applicables.

Article 3.

En vue de maintenir libres de toute entrave le passage et la navigation dans les Détroits, les mesures stipulées aux articles 4 à 9 seront appliquées à leurs eaux et rives ainsi qu'aux îles qui s'y trouvent ou qui les avoisinent.

Article 4.

Seront démilitarisées les zones et îles désignées ci-après :

(1°) les deux rives du Détroit des Dardanelles et du Détroit du Bosphore sur l'étendue des zones délimitées ci-dessous (voir la carte ci-jointe) :

Dardanelles.

Au Nord-Ouest, presqu'île de Gallipoli et région au Sud-Est d'une ligne partant d'un point du golfe de Xeres situé à 4 Km. Nord-Est de Bakla-Burnu aboutissant sur la Mer de Marmara à Kumbaghi et passant au Sud de Kavak (cette localité exclue).

Au Sud-Est, région comprise entre la côte et une ligne tracée à 20 Km. de la côte, partant du cap Eski-Stamboul en face de Tenedos et aboutissant sur la Mer de Marmara en un point de la côte situé immédiatement au Nord de Karabigha.

Bosphore.

Sans préjudice du régime particulier de Constantinople, article 8.

A l'Est, zone s'étendant jusqu'à une ligne tracée à 15 Km. de la côte orientale du Bosphore.

A l'Ouest, zone s'étendant jusqu'à une ligne tracée à 15 Km. de la côte occidentale du Bosphore.

(2°) toutes les îles de la Mer de Marmara, sauf l'île d'Emir-Ali-Adasi.

(3°) dans la mer Egée, les îles de Samothrace, Lemnos, Imbros, Tenedos et les îles aux Lapins.

Article 5.

Une Commission, composée de 4 membres respectivement nommés par les

Allied Draft Treaty of January 31, 1923.

Gouvernements de la France, de la Grande-Bretagne, de l'Italie et de la Turquie, se réunira dans les 15 jours après la mise en vigueur de la présente Convention pour fixer sur place les limites des zones prévues à l'article 4 (1°).

Il appartiendra aux Gouvernements représentés dans cette Commission de pourvoir aux indemnités auxquelles pourront avoir droit leurs représentants respectifs.

Tous frais généraux auxquels donnera lieu le fonctionnement de la Commission seront, par parts égales, supportés par les Puissances représentées.

Article 6.

Sous réserve des dispositions de l'article 8 concernant Constantinople, il ne devra y avoir, dans les zones et îles démilitarisées, aucune fortification, aucune installation permanente d'artillerie, d'engins d'action sous-marine autres que les bâtiments sous-marins, ni aucune installation d'aéronautique militaire ni aucune base navale.

Aucune force armée ne devra y stationner en dehors des forces de police et de gendarmerie qui sont nécessaires au maintien de l'ordre, et dont l'armement ne comportera que le revolver, le sabre, le fusil et quatre fusils mitrailleurs par cent hommes à l'exclusion de toute artillerie.

Dans les eaux territoriales des zones et îles démilitarisées, il ne devra y avoir aucun engin d'action sous-marine, autre que des bâtiments sous-marins.

Nonobstant les alinéas qui précèdent, la Turquie gardera le droit de faire passer en transit ses forces armées dans les zones et îles démilitarisées du territoire turc, ainsi que dans leurs eaux territoriales où la flotte turque aura le droit de mouiller.

En outre, en ce qui concerne les Détroits, le Gouvernement turc aura la faculté de faire observer au moyen d'avions ou de ballons, la surface et le fond de la mer. Les aéronefs turcs pourront toujours survoler les eaux des Détroits et les zones démilitarisées du territoire turc et y atterrir ou amerrir partout en toute liberté.

La Turquie et la Grèce pourront également, dans les zones et îles démilitarisées et dans leurs eaux territoriales, effectuer les mouvements de personnel nécessités par l'instruction, hors de ces zones et îles, des hommes qui y seront recrutés.

La Turquie et la Grèce auront la liberté d'organiser dans lesdites zones et îles de leurs territoires respectifs, tout système d'observation et de communications télégraphiques, téléphoniques et optiques. La Grèce pourra faire passer sa flotte dans les eaux territoriales des îles grecques démilitarisées, mais ne pourra user de ces eaux comme base d'opérations contre la Turquie ou pour une concentration navale ou militaire dans ce but.

Article 7.

Aucun engin d'action sous-marine, autre que les bâtiments sous-marins, ne pourra être installé dans les eaux de la Mer de Marmara.

Le Gouvernement turc n'installera ni dans la région côtière européenne de la Mer de Marmara, ni dans la partie de la région côtière d'Anatolie située à l'Est de la zone démilitarisée du Bosphore, jusqu'à Darije, aucune batterie permanente de canons ou de lance-torpilles, susceptible d'entraver le passage des Détroits.

Article 8.

A Constantinople, y compris ici Stamboul, Péra, Galata, Scutari, ainsi que les îles des Princes, et dans ses environs immédiats, une garnison de 12,000 hommes au maximum pourra être stationnée pour les besoins de la capitale. Un arsenal et une base navale pourront être maintenus à Constantinople.

Article 9.

Si, en cas de guerre, la Turquie ou la Grèce, usant de leur droit de Puissances belligérantes, étaient amenées à apporter des modifications à l'état de démilitarisation prévu ci-dessus, elles seraient tenues de rétablir, dès la conclusion de la paix, le régime prévu par la présente Convention

Article 10.

Il sera institué à Constantinople une Commission internationale composée comme il est dit à l'article 12, qui prendra le titre de "Commission des Détroits."

Article 11.

La Commission exercera ses attributions sur les eaux des Détroits.

Article 12.

La Commission sera composée, sous la présidence d'un Représentant de la

Turquie, de Représentants de la France, de la Grande-Bretagne, de l'Italie, du Japon, de la Bulgarie, de la Grèce, de la Roumanie, de l'Etat Serbe-Croate-Slovène et de la Russie, en tant que Puissances signataires de la présente Convention.

L'adhésion à la présente Convention comportera pour les Etats-Unis le droit d'avoir également un Représentant dans la Commission.

Le même droit sera réservé dans les mêmes conditions aux Etats indépendants riverains de la Mer Noire, non mentionnés dans le premier alinéa du présent article.

Article 13.

Il appartiendra aux Gouvernements représentés à la Commission de pourvoir aux indemnités auxquelles pourront avoir droit leurs Représentants. Toutes dépenses supplémentaires de la Commission seront supportées par lesdits Gouvernements dans la proportion fixée pour la répartition des frais de la Société des Nations.

Article 14.

La Commission sera chargée de s'assurer que sont dûment observées les dispositions concernant le passage des bâtiments de guerre et aéronefs militaires, dispositions faisant l'objet des paragraphes 2, 3 et 4 de l'annexe jointe à l'article 2.

Article 15.

La Commission des Détroits exercera sa mission sous les auspices de la Société des Nations à laquelle elle adressera chaque année un rapport rendant compte de l'accomplissement de sa mission et fournissant, par ailleurs, tous renseignements utiles au point de vue du commerce et de la navigation; à cet effet, la Commission se mettra en relations avec les services du Gouvernement turc s'occupant de la navigation dans les Détroits.

Article 16.

Il appartiendra à la Commission d'élaborer les règlements qui seraient nécessaires à l'accomplissement de sa mission.

Article 17.

Les dispositions de la présente Convention ne porteront pas atteinte au droit de la Turquie de faire circuler librement sa flotte dans les eaux turques.

Allied Draft Treaty of January 31, 1923.

Article 18.

Désireuses que la démilitarisation des Détroits et des zones avoisinantes ne devienne pas, au point de vue militaire, une cause de danger injustifié pour la Turquie et que des actes de guerre ne viennent pas mettre en péril la liberté des Détroits ou la sécurité des zones démilitarisées, les Hautes Parties Contractantes conviennent des dispositions suivantes :

Si une violation des dispositions sur la liberté de passage, une attaque inopinée, ou quelque acte de guerre ou menace de guerre venaient à mettre en péril la liberté de la navigation des Détroits ou la sécurité des zones démilitarisées, les Hautes Parties Contractantes et dans tous les cas la France, la Grande-Bretagne, l'Italie et le Japon les empêcheront conjointement par tous les moyens que le Conseil de la Société des Nations décidera à cet effet.

Dès que les actes ayant motivé l'action prévue par l'alinéa qui précède auront pris fin, le statut des Détroits tel qu'il est réglé par les dispositions de la présente Convention sera de nouveau strictement appliqué.

La présente disposition, qui constitue une partie intégrante de celles qui sont relatives à la démilitarisation et à la liberté des Détroits, ne porte pas atteinte aux droits et obligations que les Hautes Parties Contractantes peuvent avoir en vertu du Pacte de la Société des Nations.

Article 19

Les Hautes Parties Contractantes feront tous leurs efforts pour amener les Puissances non signataires à adhérer à la présente Convention.

Cette adhésion sera signifiée, par la voie diplomatique, au Gouvernement de la République française et par celui-ci à tous les Etats signataires ou adhérents. Elle portera effet à dater du jour de la signification au Gouvernement français.

Article 20

La présente Convention sera ratifiée.

Les ratifications en seront déposées à Paris aussitôt que faire se pourra.

Elle entrera en vigueur dans les mêmes conditions que le Traité de Paix en date

Allied Draft Treaty of January 31, 1923.

de ce jour;* pour les Puissances non signataires de ce Traité, qui à ce moment n'auraient pas encore ratifié la présente Convention, celle-ci entrera en vigueur au fur et à mesure du dépôt de leurs ratifications, qui sera notifié aux autres Puissances contractantes par le Gouvernement de la République française.

En foi de quoi les Plénipotentiaires susnommés ont signé la présente Convention.

Fait à Lausanne, le ..... 192... en un seul exemplaire qui sera déposé dans les archives du Gouvernement de la République française, lequel en remettra une expédition authentique à chacune des Puissances signataires.

.....

.....

(Signatures et cachets.)

Turkish Counter-Proposals of March 8, 1923.

Document No. III of Final Act.

PROJET DE CONVENTION CONCERNANT LES FRONTIÈRES DE THRACE

L'Empire Britannique, la France, l'Italie, le Japon, la Bulgarie, la Grèce, la Roumanie, l'Etat Serbe-Croate-Slovène, et la Turquie, soucieux d'assurer le maintien de la paix sur les frontières de Thrace

Et estimant nécessaire à cette fin que certaines dispositions spéciales réciproques soient prises de part et d'autre de ces frontières, ainsi qu'il est prévu par

PROJET DE CONVENTION CONCERNANT LES FRONTIÈRES DE THRACE.

(Maintenu.)

* *Projet d'article à insérer dans le Traité de Paix*

Le présent Traité sera ratifié dans le délai le plus court possible.

Les ratifications seront déposées à Paris.

Le Gouvernement japonais aura la faculté de se borner à faire connaître au Gouvernement de la République française par son représentant diplomatique à Paris que la ratification a été donnée et, dans ce cas, il devra en transmettre l'instrument aussitôt que faire se pourra.

Chacune des Puissances signataires ratifiera par un seul et même instrument le présent Traité, ensemble les autres actes signés par elle et prévus dans l'Acte Final de la Conférence de Lausanne, autant que ceux-ci requièrent une ratification

Un premier procès-verbal de dépôt sera dressé dès que la Turquie d'une part et l'Empire britannique, la France, l'Italie, le Japon, ou trois d'entre eux d'autre part, auront déposé l'instrument de leur ratification.

Dès la date de ce premier procès-verbal, le Traité entrera en vigueur entre les Hautes Parties Contractantes qui l'auront ainsi ratifié. Il entrera ensuite en vigueur pour les autres Puissances à la date du dépôt de leur ratification.

Le Gouvernement français remettra à toutes les Puissances signataires une copie authentique des procès-verbaux des ratifications.

Allied Draft Treaty of January 31, 1923.	*Turkish Counter-Proposals of March 8, 1923.*
l'article 22 du Traité de paix signé en date de ce jour,*	
Ont décidé de conclure une Convention à cet effet et ont désigné pour leurs Plénipotentiaires, savoir :	
.....	
.....	
Lesquels, après avoir exhibé leurs pleins pouvoirs reconnus en bonne et due forme, ont convenu des dispositions suivantes :	
Article 1.	
Depuis la Mer Egée jusqu'à la Mer Noire, les territoires s'étendant de part et d'autre des frontières séparant la Turquie de la Bulgarie et de la Grèce, seront démilitarisés sur une largeur d'environ trente kilomètres, comprise dans les limites ci-après (voir la carte ci-jointe) :	(Maintenu.)
(1°) *en territoire turc*, de la Mer Egée à la Mer Noire;	
une ligne sensiblement parallèle à la frontière de la Turquie, avec la Grèce et avec la Bulgarie, définie à l'article 2, paragraphes (1°) et (2°) du Traité de Paix signé en date de ce jour. Cette ligne sera tracée à une distance minimum de 30 Km. de cette frontière, sauf dans la région de Kirk-Kilissa où elle devra laisser en dehors de la zone démilitarisée la ville elle-même et un périmètre de 5 Km. au minimum compté à partir du centre de cette ville. Elle partira du Cap Ibrije-Burnu, sur la Mer Egée, pour aboutir, sur la Mer Noire, au Cap Serbes-Burnu;	
(2°) *en territoire grec*, de la Mer Egée à la frontière gréco-bulgare :	
une ligne partant de la pointe du Cap Makri (le village de Makri exclu) suivant vers le Nord un tracé sensiblement parallèle au cours de la Maritza jusqu'à hauteur de Tahtali, puis gagnant par l'Est de Meherkoz un point à déterminer sur la frontière gréco-bulgare, à 15 Km. environ à l'Ouest de Kuchuk Derbend;	
(3°) *en territoire bulgare*, de la frontière gréco-bulgare à la Mer Noire :	
une ligne partant du point ci-dessus défini, coupant la route d'Andrinople à Kossukavak, à 5 Km. à l'Ouest de Papas Keui, puis tracée à 30 Km. au minimum de la frontière gréco-bulgare et de la frontière turco-bulgare, sauf dans la région d'Harmanli où elle devra laisser	(Maintenu.)

* *Projet d'article à insérer dans le Traité de Paix*

La Convention spéciale, conclue à la date de ce jour, relativement au régime de la frontière décrite dans l'article 2 du présent Traité, aura même force et valeur au regard des Hautes Parties ici contractantes que si elle figurait dans le présent Traité.

Allied Draft Treaty of January 31, 1923.	*Turkish Counter-Proposals of March 8, 1923.*
en dehors de la zone démilitarisée la ville elle-même et un périmètre de 5 Km. au minimum compté à partir du centre de cette ville, pour aboutir sur la Mer Noire au fond de la baie située au Nord-Ouest d'Anberler.	
Article 2.	
Une Commission de délimitation, qui sera constituée dans les 15 jours qui suivront la mise en vigueur de la présente Convention, sera chargée de déterminer et de tracer sur le terrain les limites définies à l'article 1er. Cette Commission sera composée de représentants désignés par la France, la Grande-Bretagne, l'Italie, la Bulgarie, la Grèce et la Turquie, à raison d'un représentant par Puissance. Les représentants bulgare, grec et turc ne prendront part qu'aux opérations concernant respectivement le territoire de la Bulgarie, de la Grèce et de la Turquie; toutefois, le travail d'ensemble résultant de ces opérations sera arrêté et enregistré en commission plénière.	(Maintenu.)
Article 3.	
La démilitarisation des zones définies à l'article 1er sera effectuée et maintenue conformément aux dispositions ci-après :	(Maintenu.)
(1°) tous les ouvrages de fortification permanente ou de campagne actuellement existants devront être désarmés et démantelés par les soins de la Puissance sur le territoire de laquelle ils se trouvent. Il ne sera construit aucun nouvel ouvrage de ce genre, ni organisé aucun dépôt d'armes ou de matériel de guerre non plus qu'aucune autre installation offensive ou défensive d'ordre militaire, naval ou aéronautique.	
(2°) Il ne devra stationner ou se mouvoir aucune force armée en dehors des éléments spéciaux, tels que gendarmerie, forces de police, douaniers, garde-frontières, nécessaires pour assurer l'ordre intérieur et la surveillance des frontières.	
L'effectif de ces éléments spéciaux, qui ne devront comprendre aucune aviation, ne dépassera pas, savoir :	
(*a*) dans la zone démilitarisée du territoire turc 5,000 hommes au total;	
(*b*) dans la zone démilitarisée du territoire grec 2,500 hommes au total;	
(*c*) dans la zone démilitarisée du territoire bulgare 2,500 hommes au total.	

Allied Draft Treaty of January 31, 1923.	*Turkish Counter-Proposals of March 8, 1923.*
Leur armement ne comportera que le revolver, le sabre, le fusil et 4 fusils mitrailleurs par 100 hommes à l'exclusion de toute artillerie.	
Ces dispositions ne porteront pas atteinte aux obligations incombant à la Bulgarie en vertu du Traité de Neuilly du 27 novembre 1919.	
(3°) Le survol de la zone démilitarisée par des avions militaires ou navals de quelque pavillon que ce soit, est interdit.	
Article 4.	
Le Gouvernement turc s'engage à limiter les forces armées turques stationnées en temps de paix sur son territoire européen, à un effectif total de 20.000 hommes y compris l'effectif de 12.000 hommes fixé pour la garnison de Constantinople par l'article 8 de la Convention sur le régime des Détroits signée en date de ce jour.	(Maintenu.)
Les effectifs des éléments spéciaux tels que gendarmerie, forces de police, douaniers, garde-frontières, nécessaires pour assurer l'ordre intérieur et la surveillance des frontières ne seront pas compris dans le total de 20.000 hommes ci-dessus stipulé.	
Article 5.	
Au cas où l'une des Puissances limitrophes dont le territoire est visé dans la présente Convention, aurait quelque réclamation à formuler concernant l'observation des présentes dispositions, cette réclamation devrait être portée par elle devant le Conseil de la Société des Nations.	(Maintenu.)
Article 6.	
La présente Convention sera ratifiée	
Les ratifications en seront déposées à Paris aussitôt que faire se pourra.	(Maintenu.)
Elle entrera en vigueur dès que la Bulgarie, la Grèce et la Turquie l'auront respectivement ratifiée. Un procès-verbal spécial constatera ces ratifications. En ce qui concerne les autres Puissances qui ne l'auraient pas déjà ratifiée à ce moment, elle entrera en vigueur au fur et à mesure du dépôt de leurs ratifications, qui sera notifié aux autres Puissances contractantes par le Gouvernement de la République française.	
Le Gouvernement japonais aura la faculté de se borner à faire connaître au Gouvernement de la République française par son représentant diplomatique à Paris que la ratification a été donnée et,	

Allied Draft Treaty of January 31, 1923.	*Turkish Counter-Proposals of March 8, 1923.*
dans ce cas, il devra en transmettre l'instrument aussitôt que faire se pourra.	
En foi de quoi les Plénipotentiaires susnommés ont signé la présente Convention.	
Fait à Lausanne, le ..... 192... en un seul exemplaire qui sera déposé dans les archives du Gouvernement de la République française, lequel en remettra une expédition authentique à chacune des Puissances signataires.	
.....	
.....	
(Signatures et cachets.)	
	Article .
	Le tronçon des chemins de fer orientaux compris entre Kouléli-Bourgaz et la frontière bulgare sera exploité sous le contrôle et la surveillance des représentants de la Turquie et de la Grèce.
	Les voyageurs et les marchandises en provenance ou à destination de la Turquie traverseront ledit tronçon en libre transit sans être assujettis à aucun droit ou taxe ni à aucune formalité de vérification de passeports.
	De même les voyageurs et les marchandises turcs allant d'Andrinople à une autre localité de la Turquie ou vice versa ne paieront aucun droit ou taxe ni subiront aucune visite ou contrôle à Kara-Agatch pendant l'arrêt nécessaire pour changement de direction de la voie principale à l'embranchement.
	La ligne d'embranchement sera exploitée sur tout son parcours par la Turquie afin d'assurer le trafic de la ville d'Andrinople et les voyageurs et marchandises qui arriveront d'Andrinople par cet embranchement seront, à Kara-Agatch, acheminés sans retard vers leur lieu de destination.
	.....
	.....
	(Signatures et cachets.)

Document No. IV of Final Act.

Allied Draft Treaty of January 31, 1923.	*Turkish Counter-Proposals of March 8, 1923.*
PROJET DE CONVENTION RELATIVE *au régime des étrangers en Turquie.*	PROJET DE CONVENTION RELATIVE *à l'Etablissement et à la Compétence judiciaire entre la Turquie et les Puissances alliées.*
L'Empire Britannique, la France, l'Italie, le Japon, la Grèce, la Roumanie, l'Etat Serbe-Croate-Slovène, d'une part,	L'Empire Britannique, la France, l'Italie, le Japon, la Grèce, la Roumanie, l'Etat-Serbe-Croate-Slovène, d'une part,
Et la Turquie, d'autre part,	Et la Turquie, d'autre part,
Désireux de *fixer* conformément au droit des gens moderne *le régime des étrangers en Turquie dans des conditions conformes tout à la fois à la souveraineté turque et à la légitime protection de leurs droits.*	Désireux de *régler* conformément au droit des gens moderne *les conditions d'établissement des ressortissants de l'une des Parties Contractantes sur les territoires de l'autre ainsi que les questions relatives à la Compétence judiciaire,*
Ont décidé de conclure une Convention à cet effet et ont désigné pour les Plénipotentiaires respectifs, savoir :	Ont décidé de conclure une Convention à cet effet et ont désigné pour les Plénipotentiaires respectifs, savoir :
. . . . .	. . . . .
Lesquels, après avoir exhibé leurs pleins pouvoirs trouvés en bonne et due forme, sont convenus des dispositions suivantes :	Lesquels, après avoir exhibé leurs pleins pouvoirs, trouvés en bonne et due forme, sont convenus des dispositions suivantes.
Article 1.	
A dater de la mise en vigueur de la présente Convention, les Capitulations concernant le régime des Etrangers en Turquie, tant au point de vue des conditions d'accès et de séjour qu'au point de vue fiscal et judiciaire, sont abrogées entre la Turquie et les autres Puissances contractantes.	(Supprimé.)
CHAPITRE I.	CHAPITRE I.
CONDITIONS D'ACCÈS ET DE SÉJOUR.	CONDITIONS D'ÉTABLISSEMENT.
	Section I.—*Accès et Séjour.*
Article 2.	*Article*
Sur tout le territoire de la Turquie les ressortissants des autres Puissances contractantes seront reçus et traités relativement à leurs personnes et à leurs biens conformément au droit commun international. Ils y jouiront de la plus entière et constante protection pour leurs personnes, leurs biens, droits et intérêts. Ils y auront entière liberté d'accès et d'établissement, et pourront, en conséquence, aller, venir et séjourner en Turquie, en se conformant aux lois et règlements de police, *et sans être soumis de ce chef à aucune restriction quelconque, à laquelle ne seraient pas soumis les ressortissants turcs.*	Sur le territoire de la Turquie les ressortissants des autres Puissances Contractantes seront reçus et traités relativement à leurs personnes et à leurs biens conformément au droit commun international. Ils y jouiront de la plus entière et constante protection *des lois territoriales* pour leurs personnes, leurs biens, droits et intérêts. Ils y auront entière liberté d'accès et d'établissement, et pourront, en conséquence, aller, venir et séjourner en Turquie, en se conformant aux lois et règlements *en vigueur dans le pays, y compris les règlements de police.*

Allied Draft Treaty of January 31, 1923.	*Turkish Counter-Proposals of March 8, 1923.*
	Les dispositions précédentes ne portent pas atteinte au droit de la Turquie d'autoriser ou d'interdire librement l'immigration en Turquie.
Article 3.	(Maintenu.)
Le Gouvernement turc pourra exiger des ressortissants des autres Puissances contractantes la présentation d'un passeport à l'entrée en Turquie. Pour prendre domicile ou former un établissement en Turquie, les ressortissants desdites Puissances devront être munis d'un certificat ou d'un acte d'immatriculation constatant leur nationalité, qui leur seront délivrés par leurs ambassades, légations, consulats ou vice-consulats respectifs institués en Turquie.	
Article 4.	*Article* .
En Turquie, les ressortissants des autres Puissances contractantes auront le droit d'acquérir, de posséder et d'aliéner toute sorte de biens mobiliers et immobiliers ; ils pourront en disposer notamment par vente, échange, donation, dispositions testamentaires ou de toute autre manière, ainsi qu'entrer en possession par voie de succession en vertu de la loi ou par suite de dispositions entre vifs ou testamentaires.	En Turquie, les ressortissants des autres Puissances Contractantes auront le droit d'acquérir, de posséder et d'aliéner toute sorte de biens mobiliers et immobiliers ; ils pourront en disposer notamment par vente, échange, donation, dispositions testamentaires ou de toute autre manière, ainsi qu'entrer en possession par voie de succession en vertu de la loi ou par suite de dispositions entre vifs ou testamentaires.
Ils pourront exercer *en Turquie* tous genres de commerce, de profession, d'industrie et d'exploitation permis aux nationaux, *ainsi que tout métier qu'un long usage n'aurait pas réservé aux seuls ressortissants turcs. En ce qui concerne les professions pour lesquelles des diplômes sont exigés en Turquie, le Gouvernement turc déclare dès à présent reconnaître comme équivalents aux diplômes turcs les diplômes délivrés par les autorités compétentes de l'Empire britannique, de la France, de l'Italie et du Japon et se réserve de conclure sur ce sujet des accords particuliers avec les autres Puissances.*	Ils pourront *en se conformant aux lois et prescriptions en vigueur dans le pays,* exercer tous genres de commerce, de profession, d'industrie et d'exploitation permis aux nationaux, *exceptés ceux réservés aux seuls nationaux turcs.*
Ils ne seront soumis, en aucun de ces cas, à des restrictions quelconques, auxquelles ne seraient pas soumis les ressortissants turcs.	
Article 5.	*Article* .
Les sociétés commerciales, industrielles ou financières, y compris les sociétés de transport ou d'assurance et en général *toutes les personnes morales* régulièrement constituées *hors de la Turquie* et sur le territoire de l'une quelconque des *autres* Puissances *contractantes* ou qui y	Les sociétés commerciales, industrielles ou financières, y compris les sociétés de transport ou d'assurance et en général régulièrement constituées sur le territoire de l'une quelconque des Puissances *Alliées* ou qui y sont légalement reconnues, *seront reconnues en Turquie* et leur

Allied Draft Treaty of January 31, 1923.	*Turkish Counter-Proposals of March 8, 1923.*
sont légalement reconnues, *jouiront à tous égards en Turquie des mêmes droits que les ressortissants desdites Puissances. En tout ce qui concerne leur constitution,* leur capacité *juridique* et le droit d'ester en justice, *elles* seront *traitées d'après* leur loi nationale, *tout en restant soumises, quant à leurs opérations elles-mêmes en Turquie, aux prescriptions d'ordre public et de police qui y sont en vigueur; elles jouiront, à cet égard, dans tous les cas, des mêmes droits que toute autre société semblable turque ou étrangère.*	capacité et droit d'ester en justice, *déterminés par* leur loi nationale. *Quant à leur établissement, leurs opérations et la faculté d'acquérir des biens, immobiliers ou autres, ces sociétés seront soumises aux prescriptions de la loi turque.*
Article 6.	*Article .*
En Turquie, les ressortissants des autres Puissances contractantes ne seront pas soumis aux lois militaires. Ils seront exempts de tout service et de toute obligation ou charge remplaçant le service militaire. Ils ne pourront être expropriés de leurs biens ou privés même temporairement de la jouissance de leurs biens, que pour cause légalement reconnue d'utilité publique et moyennant une juste et préalable indemnité. Aucune expropriation ne pourra avoir lieu sans publicité préalable.	En Turquie, les ressortissants des autres Puissances Contractantes ne seront pas soumis aux lois *relatives au service* militaire. Ils seront exempts de tout service et de toute obligation ou charge remplaçant le service militaire. Ils ne pourront être expropriés de leurs biens ou privés même temporairement de la jouissance de leurs biens, que pour cause légalement reconnue d'utilité publique et moyennant une juste et préalable indemnité. Aucune expropriation ne pourra avoir lieu sans publicité préalable
Article 7.	(Maintenu.)
La Turquie se réserve le droit d'expulser, par mesures individuelles, soit à la suite d'une sentence légale, soit d'après les lois ou règlements sur la police des mœurs, sur la police sanitaire ou sur la mendicité, soit pour des motifs de sûreté intérieure ou extérieure de l'Etat, les ressortissants des autres Puissances contractantes, lesquelles s'engagent à les recevoir en tout temps, eux et leur famille. Le transport des individus expulsés jusqu'au lieu de destination sera effectué par les soins et à la charge du Gouvernement turc, dans des conditions conformes à l'hygiène et à l'humanité.	
Article 8.	*Article .*
Tout avantage que la Turquie aurait concédé ou pourrait concéder à l'avenir, d'une manière quelconque, à une autre Puissance, en ce qui concerne l'établissement des citoyens et l'exercice des professions, du commerce ou de l'industrie, sera applicable *de la même manière, à la même époque et sans autres* conditions aux autres Puissances contractantes, *sans qu'il soit nécessaire de faire une convention spéciale à cet effet.*	Tout avantage que la Turquie aurait concédé ou pourrait concéder à l'avenir, d'une manière quelconque, à une autre Puissance, en ce qui concerne l'établissement des citoyens et l'exercice des professions du commerce ou de l'industrie, sera applicable *dans les mêmes* conditions aux autres Puissances Contractantes.

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Article 9.	(Supprimé.)
Réciproquement, les conditions d'accès, de séjour et d'établissement des ressortissants turcs sur le territoire de chacune des autres Puissances contractantes, seront l'objet de conventions particulières que lesdites Puissances se déclarent dès à présent disposées à conclure avec la Turquie.	
CHAPITRE II.	SECTION II.
CLAUSES FISCALES.	CLAUSES FISCALES
Article 10.	(Maintenu.)
Pour séjourner et s'établir sur le territoire turc, comme pour l'exercice de tout genre de commerce, profession, industrie, exploitation ou activité de quelque nature que ce soit en Turquie, permis aux termes de l'article 4 aux ressortissants des autres Puissances contractantes, ceux-ci ne seront soumis à aucun impôt, taxe ou charge de quelque nature et sous quelque dénomination que ce soit, autres ou plus onéreux que ceux auxquels sont soumis les ressortissants turcs. Les ressortissants desdites Puissances, qui seraient établis à l'étranger et qui se livreraient pendant leur passage sur le territoire turc à une activité quelconque, ne seront soumis à aucun impôt, taxe, charge de quelque nature ou sous quelque dénomination que ce soit, autres ou plus onéreux que ceux auxquels seraient soumis les ressortissants turcs ou étrangers établis en Turquie pour une activité de même nature et importance aux termes des dispositions fiscales en vigueur dans le pays. Les biens, droits et intérêts des ressortissants desdites Puissances en territoire turc ne seront soumis à aucune charge, taxe ou impôt direct ou indirect, autres ou plus élevés que ceux qui pourront être imposés aux biens, droits et intérêts des ressortissants turcs, tant en ce qui concerne l'acquisition, possession, et jouissance desdits biens, qu'en ce qui concerne leur transfert par cession, mutation ou héritage.	
Article 11.	*Article*
Les sociétés *civiles ou* commerciales, industrielles ou financières, y compris les sociétés de transport ou d'assurance, qui sont constituées sous la loi d'un des autres pays contractants et qui s'établissent en Turquie ou y exercent leur activité, n'y seront soumises à aucun impôt, droit ou taxe de quelque nature ou sous quelque	Les sociétés commerciales, industrielles ou financières, y compris les sociétés de transport ou d'assurance, qui sont constituées sous la loi d'un des autres pays contractants et qui *conformément à l'article 5 de la présente Convention* s'établissent en Turquie ou y exercent leur activité, n'y seront soumises à aucun

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dénomination que ce soit, auxquels ne seraient point soumises les sociétés de même nature constituées sous la loi turque.	impôt, droit ou taxe de quelque nature ou sous quelque dénomination que ce soit, auxquels ne seraient point soumises les sociétés de même nature constituées sous la loi turque.
Les mêmes dispositions s'appliqueront aux filiales, succursales, agences et autres représentations de firmes ou sociétés desdits pays, qui sont établies en Turquie ou y exercent leur activité, étant entendu que lesdites filiales, succursales, agences et représentations, ne seront imposées que pour leur capital réellement investi en Turquie ou sur les bénéfices et revenus qu'elles y ont réellement acquis, ceux-ci pouvant servir à la détermination du capital imposable, s'il ne peut être *déclaré ou* vérifié	Les mêmes dispositions s'appliqueront aux filiales, succursales, agences et autres représentations de firmes ou sociétés desdits pays, qui *en se conformant à l'article 5 de la présente Convention* sont établies en Turquie ou y exercent leur activité, étant entendu que lesdites filiales, succursales, agences et représentations, ne seront imposées que pour leur capital réellement investi en Turquie ou sur les bénéfices et revenus qu'elles y ont réellement acquis, ceux-ci pouvant servir à la détermination du capital imposable, s'il ne peut être vérifié.
Article 12.	*Article*
Si le Gouvernement turc institue, à l'effet de favoriser la production, le commerce ou les transports en Turquie, des exonérations de charges fiscales, de quelque nature ou sous quelque dénomination que ce soit, ou attribue des primes, ristournes ou tout autre mode d'encouragement, ces exonérations ou encouragements seront allouées aussi bien aux ressortissants ou sociétés des autres pays contractants, établis en Turquie, qu'aux ressortissants turcs ou aux sociétés établies sous la loi turque, de manière à éviter toute discrimination au détriment des ressortissants ou sociétés desdits pays.	*La Turquie conserve la faculté d'accorder aux ressortissants des Puissances Alliées le bénéfice des exonérations fiscales existantes ou à établir en vue de l'encouragement de l'industrie nationale dans le pays.*
Article 13.	
Pour toute matière visée aux articles précédents, les impôts, droits, taxes, provinciaux ou locaux, imposables en Turquie aux ressortissants des autres pays contractants ne seront point autres ou plus élevés que ceux qui seraient imposés aux ressortissants turcs.	(Maintenu.)
Article 14.	
Aucun emprunt forcé ou autre prélèvement exceptionnel sur la fortune, ne seront imposés en Turquie, même en cas de guerre, aux ressortissants des autres pays contractants établis en Turquie ou y exerçant leur activité, à leurs biens, droits et intérêts situés sur le territoire turc, ainsi qu'aux sociétés, filiales, succursales ou agences constituées sous la loi d'un desdits pays et établies en Turquie ou y exerçant leur activité	(Maintenu.)

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Article 15.	
Au point de vue des charges fiscales de toute nature, les établissements religieux, scolaires ou d'assistance établis en Turquie par des ressortissants, associations, ou sociétés des autres pays contractants, y bénéficieront, sans distinction de religion, de toutes exonérations ou facilités qui sont ou seraient accordées aux établissements religieux, scolaires, ou d'assistance turcs. Par dérogation exceptionnelle, la franchise douanière est accordée pendant la durée de la présente Convention pour l'importation en Turquie des objets nécessaires au culte ou des matériaux et outillages destinés à l'entretien desdits établissements.	(Supprimé.)
Article 16.	*Article*
Conformément à l'abolition des Capitulations, la Turquie n'accordera pas aux ressortissants des Puissances étrangères un traitement plus favorable qu'à ses propres ressortissants et appliquera à ses ressortissants et aux ressortissants des autres Parties Contractantes le principe de l'égalité de traitement, *tant* en ce qui concerne les matières prévues aux dispositions précédentes *qu'en ce qui concerne celles qui n'y seraient point prévues.*	Conformément à l'abolition des Capitulations, la Turquie n'accordera pas aux ressortissants des Puissances étrangères un traitement plus favorable qu'à ses ressortissants et appliquera à ses ressortissants des autres Parties Contractantes le principe de l'égalité de traitement, en ce qui concerne les matières *fiscales* prévues aux dispositions précédentes.
Article 17.	
Chacune des dispositions contenues dans les articles 10 à 14 ci-dessus demeurera applicable en Turquie pendant une durée de dix années aux ressortissants de chacun des autres pays contractants, à la condition que celui-ci accorde aux ressortissants turcs sur son territoire le bénéfice d'une disposition réciproque. Sous l'application du présent article, les dominions, colonies, pays de protectorat ou pays à mandat seront individuellement considérés comme des pays contractants.	(Supprimé.)
CHAPITRE III.	CHAPITRE II.
Clauses JUDICIAIRES.	COMPETENCE JUDICIAIRE.
Article 18.	*Article*
En Turquie, les ressortissants des autres Pays contractants auront libre accès aux tribunaux turcs et pourront ester en justice aux mêmes conditions à tous égards que les ressortissants turcs, sans être astreints à aucune caution ou dépôt, sous quelque dénomination que ce	En Turquie, les ressortissants des autres Pays contractants auront libre accès aux tribunaux turcs et pourront ester en justice aux mêmes conditions à tous égards que les ressortissants turcs, sans être astreints à aucune caution ou dépôt, sous quelque dénomination que ce

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soit, en raison de leur extranéité ou de leur défaut de domicile ou de résidence en Turquie.	soit, en raison de leur extranéité ou de leur défaut de domicile ou de résidence en Turquie, *à condition qu'ils soient domiciliés dans le pays dont ils sont ressortissants ou en Turquie.*
Article 19.	*Article* .
Dans les contestations en matière *réelle ou* immobilière s'élevant en Turquie entre ressortissants des autres Pays contractants ou entre ceux-ci et ressortissants turcs, et concernant des immeubles situées en Turquie, l'action sera portée devant la juridiction turque du lieu de la situation de l'immeuble.	Dans les contestations en matière immobilière s'élevant en Turquie entre ressortissants des autres Pays contractants ou entre ceux-ci et ressortissants turcs, et concernant des immeubles situés en Turquie, l'action sera portée devant la juridiction turque du lieu de la situation de l'immeuble.
Dans les contestations en matière mobilière, civile ou commerciale, qui viendraient à s'élever en Turquie entre ressortissants des autres Pays contractants ou entre ceux-ci et ressortissants turcs, l'action sera, *à défaut de stipulation contraire entre les parties*, portée devant la juridiction turque *selon les règles ordinaires du droit international.*	Dans les contestations en matière mobilière, civile ou commerciale, qui viendraient à s'élever en Turquie entre ressortissants des autres Pays contractants ou entre ceux-ci et ressortissants turcs, l'action sera portée devant la juridiction turque.
Article 20.	*Article* .
En matière de statut personnel c'est-à-dire pour toutes les questions concernant le mariage et la communauté conjugale, le divorce, la séparation de corps, la dot, la paternité, la filiation, l'adoption, la capacité des personnes, la majorité, la tutelle, la curatelle, l'interdiction, et en général *pour toutes questions similaires, ainsi qu'en matière de successions mobilières, testamentaires ou ab intestat*, seront seuls compétents les tribunaux nationaux ou autres autorités nationales compétentes se trouvant dans le pays duquel les parties ressortissent.	En matière de statut personnel c'est-à-dire pour toutes les questions concernant le mariage et la communauté conjugale, le divorce, la séparation de corps, la dot, la paternité, la filiation, l'adoption, la capacité des personnes, la majorité, la tutelle, la curatelle, l'interdiction, et en général *le droit de famille des ressortissants des autres Puissances Contractantes* seront seuls compétents les tribunaux nationaux ou autres autorités nationales compétentes se trouvant dans le pays duquel les parties ressortissent. *Ces dispositions n'empêchent pas les tribunaux de la Turquie de juger conformément aux lois nationales des parties les questions incidentes qui touchent les matières visées dans cet alinéa. Dans ce cas les décisions relatives au statut personnel n'auront la force de chose jugée que pour les parties en cause et pour la contestation décidée.* *En matière mobilière toutes les questions relatives au titre d'hérédité ou au legs et touchant le droit à la concession ou son partage seront décidées par des tribunaux ou autres autorités compétentes se trouvant sur le territoire du pays dont relevait le défunt et conformément à ses lois nationales.* *En matière immobilière les questions relatives au titre d'hérédité ou de legs et touchant le droit à la succession ou son partage seront décidées exclusivement par*

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	les tribunaux ou autres autorités compétentes du pays dans lequel les immeubles sont situés et conformément aux lois de ce pays.
Par dérogation à ce principe pourront également être compétents pour les matières *susindiquées*, vis à vis des ressortissants des autres Puissances contractantes, les tribunaux turcs si toutes les parties en cause se soumettent par écrit à la juridiction desdits tribunaux, lesquels statueront d'après la loi nationale desdites parties.	Par dérogation à ce principe pourront également être compétents pour les matières *ci-dessus réservées aux juridictions nationales*, vis-à-vis des ressortissants des autres Puissances contractantes les tribunaux turcs si toutes les parties en cause se soumettent par écrit à la juridiction desdits tribunaux, lesquels statueront d'après la loi nationale desdites parties.
Article 21.	*Article* .
En Turquie, les ressortissants des autres pays contractants seront, en matière pénale, justiciables, *conformément aux règles ordinaires* du droit international, de la juridiction turque pour tous les crimes, délits et contraventions commis par eux en Turquie, sans préjudice du droit de juridiction que les dits pays auraient, d'après leur législation intérieure, sur leurs propres nationaux pour les crimes ou délits commis par ceux-ci à l'étranger.	En Turquie, les ressortissants des autres pays contractants seront, en matière pénale, justiciables de la juridiction turque pour tous les crimes, délits et contraventions commis par eux en Turquie, *ainsi que pour ceux qui étant commis sur le territoire d'un État tiers rentrent en vertu des lois de la Turquie sous la juridiction des tribunaux de cette*, sans préjudice du droit de juridiction que les dits pays auraient *également* d'après leur législation intérieure, sur leurs propres nationaux pour les crimes ou délits commis par ceux-ci à l'étranger.
Article 22.	(Supprimé.)
Le Gouvernement turc, animé des intentions formulées dans sa déclaration en date de ce jour relativement à la réorganisation de la justice, déclare que les étrangers en Turquie seront assurés, quant à leurs personnes et à leurs biens, devant les juridictions turques d'une protection conforme au droit de gens ainsi qu'aux principes et méthodes généralement suivis dans les autres pays.	
Article 23.	*Article* .
Toutes questions relatives à l'exécution des jugements, à la communication des actes judiciaires et extra-judiciaires aux Commissions rogatoires, aux condamnations aux frais et dépens, à l'assistance judiciaire gratuite *et la contrainte par corps* seront, dans les rapports entre la Turquie et les autres Puissances contractantes l'objet de conventions spéciales à conclure entre les États intéressés.	Toutes questions relatives à l'exécution des jugements, à la communication des actes judiciaires et extra-judiciaires aux Commissions rogatoires, aux condamnations aux frais et dépens, à l'assistance gratuite seront, dans les rapports entre la Turquie et les autres Puissances contractantes l'objet de conventions spéciales à conclure entre les États intéressés.

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CHAPITRE IV.	
ECOLES ET ETABLISSEMENTS RELIGIEUX OU CHARITABLES.	
Article 24.	
Aucune entrave ne sera apportée au libre fonctionnement et aux droits de propriété des établissements religieux, scolaires ou charitables, des hôpitaux, dispensaires et autres établissements analogues existant déjà en Turquie et dirigés par des personnes, communautés ou associations ressortissant aux autres Puissances contractantes.	(Supprimé.)
En ce qui concerne la création de nouveaux établissements similaires, les Puissances intéressées se réservent de conclure des arrangements spéciaux avec le Gouvernement turc.	
D'une façon générale, les œuvres religieuses, scolaires, hospitalières ou charitables étrangères en Turquie se conformeront, sans toutefois qu'il soit porté atteinte à leur caractère particulier et à leur libre fonctionnement, aux lois et règlements turcs régissant les œuvres analogues du pays.	
Article 25.	
Les Puissances non signataires seront admises à adhérer à la présente Convention.	(Supprimé
Cette adhésion sera signifiée, par la voie diplomatique au Gouvernement de la République française et par celui-ci à tous les Etats signataires ou adhérents. Elle portera effet à dater du jour de la signification au Gouvernement français.	
CHAPITRE III	
DISPOSITIONS FINALES.	
Article	
L'application des dispositions de la présente Convention aux ressortissants et sociétés des autres Puissances contractantes en Turquie est subordonnée à la condition expresse de parfaite réciprocité à l'égard des ressortissants et sociétés turcs, dans les territoires desdites Puissances y compris leurs colonies, dominions, protectorats, &c.	
Dans le cas où l'une de ces Puissances refuserait en vertu de ses lois ou autrement d'accorder la réciprocité par rapport à l'une quelconque des dispositions en question ses ressortissants et sociétés ne pourront profiter en Turquie de cette même disposition.	

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Article 26.	
La présente Convention sera ratifiée.	La présente Convention sera ratifiée.
Les ratifications en seront déposées à Paris aussitôt que faire se pourra.	Les ratifications en seront déposées à Paris aussitôt que faire se pourra.
Elle entrera en vigueur dans les mêmes conditions que le Traité de paix en date de ce jour.	Elle entrera en vigueur dans les mêmes conditions que le Traité de paix en date de ce jour *et aura une durée de 5 années.*
En foi de quoi les Plénipotentiaires susnommés ont signé la présente Convention.	EN FOI DE QUOI les Plénipotentiaires susnommés ont signé la présente Convention.
Fait à Lausanne le..... 19.. en un seul exemplaire qui sera déposé dans les archives du Gouvernement de la République française, lequel en remettra une expédition authentique à chacune des Puissances signataires.	Fait à Lausanne le..... 19.. en un seul exemplaire qui sera déposé dans les archives du Gouvernement de la République française, lequel en remettra une expédition authentique à chacune des Puissances signataires.
. . . . .	. . . . .
(Signatures et cachets.)	(Signatures et cachets.)
	Déclaration-Annexe à la Convention d'Etablissement.
	La Délégation Turque déclare que les œuvres scolaires et hospitalières ainsi que les institutions d'assistance reconnues existant en Turquie avant le 30 octobre 1914 et ressortissant à la France, à la Grande-Bretagne et à l'Italie continueront à exister. Toutefois, il est bien entendu qu'elles ne pourront sous aucun prétexte et dans aucun cas se livrer à une propagande ou une action quelconque contraires aux intérêts de la Turquie ou aux lois turques.
	Les œuvres et institutions susmentionnées seront au point de vue de charges fiscales de toute nature traitées, sur un pied d'égalité avec les œuvres et institutions similaires turques et seront soumises aux lois et règlement régissant ces dernières.
PROJET DE DECLARATION RELATIVE A L'ADMINISTRATION DE LA JUSTICE EN TURQUIE.	DECLARATION.
Les Plénipotentiaires soussignés, agissant en vertu de leurs pleins pouvoirs, déclarent au nom du Gouvernement de la Grande Assemblée Nationale d'Angora et en conformité de l'article 22 de la Convention en date de ce jour, concernant les conditions d'accès et de séjour des étrangers en Turquie	*La Délégation turque a déjà eu l'occasion de faire connaître que le Gouvernement de la Grande Assemblée Nationale de Turquie est en mesure d'assurer aux étrangers devant les tribunaux toutes les garanties d'une bonne justice, qu'il est à même d'y veiller dans le plein exercice de sa souveraineté et sans aucune intervention étrangère. Il n'en est pas moins disposé à faire procéder à des enquêtes et études pour introduire telles réformes que justifierait le progrès des mœurs et de la civilisation.*
(1°) *Dès la mise en vigueur du Traité de Paix également signé ce même jour et pour la période nécessaire à la réorganisation de l'administration de la justice à*	

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la suite des événements qui ont troublé le pays et au moins pour une période de cinq ans, il constituera un corps de conseillers légistes qu'il recrutera comme il suit.	*Dans cet esprit, la Délégation turque tient à faire la Déclaration suivante:*
Le Gouvernement turc constituera une Commission comprenant cinq membres, dont deux fonctionnaires de l'Administration de la justice en Turquie et trois membres qu'il choisira parmi les juges titulaires ou suppléants de la Cour Permanente de Justice Internationale de La Haye. Cette Commission sera chargée de présenter au Gouvernement turc les candidats parmi lesquels celui-ci nommera un nombre suffisant, d'après les dispositions ci-après, de conseillers légistes destinés à être attachés au Ministère de la Justice et affectés au service des tribunaux de Constantinople, Smyrne, Samsoun et Adana, ainsi qu'à la Cour d'Appel et à la Cour de Cassation. La Commission joindra à la présentation desdits candidats l'indication de conditions de leur engagement et de leur traitement.	*Le Gouvernement turc se propose de prendre incessamment à son service pour la période qu'il jugera nécessaire et qui ne sera pas inférieure à cinq années, des conseillers légistes européens qui seront choisis par lui sur une liste dressée par la Cour permanente internationale de Justice de la Haye parmi les jurisconsultes ressortissants des pays n'ayant pas participé à la guerre de 1914-18, et qui seront des fonctionnaires turcs.*
(2°) Dès la mise en vigueur dudit traité de Paix, le Gouvernement turc constituera, d'autre part, un Comité consultatif dont feront partie, avec les fonctionnaires des différents services turcs intéressés, deux desdits conseillers légistes qui seront affectés au Service de la Cour d'Appel et de la Cour de Cassation. Ce Comité aura pour tâche d'élaborer tous projets de réforme qui serait jugée nécessaire pour mettre la législation, l'administration de la justice en Turquie et le régime pénitentiaire en conformité des conditions du monde moderne.	*Les conseillers légistes dépendront du Ministère de la Justice où ils participeront aux travaux des commissions de réformes législatives et seront également chargés de suivre, dans les villes de Constantinople et Smyrne, y compris le fonctionnement des juridictions civiles, commerciales et pénales turques et de recevoir toutes plaintes auxquelles pourraient donner lieu soit l'administration de la justice civile, y compris les visites domiciliaires, perquisition ou arrestation, commerciale ou pénale, soit l'exécution des peines, soit l'application des lois avec mission d'en rendre compte au Ministère de la Justice à l'effet d'assurer la stricte observation de la législation turque.*
(3°) En cas de compétence de la juridiction turque vis-à-vis des étrangers dans les affaires du statut personnel, comme dans les affaires mobilières, civiles ou commerciales, lorsque la demande dépasse 50 livres turques, ainsi que dans les affaires pénales lorsque le prévenu poursuivi en Turquie est un étranger, les tribunaux turcs énumérés au paragraphe 1°, alinéa 2, de la présente Déclaration, auront seuls à connaître en première instance desdites affaires; leurs circonscriptions judiciaires seront fixées en conséquence.	*Dans les matières correctionnelles la mise en liberté sous condition devra toujours être prononcée, à moins que la sécurité publique n'en fût compromise ou que la mise en liberté provisoire n'entravât la bonne marche de l'instruction de l'affaire.*
Lorsque les tribunaux et Cours civils au paragraphe (1°), alinéa 2, de la présente Déclaration auront à connaître pour jugement ou pour instruction d'une desdites affaires, leur composition comportera toujours la présence d'au moins un conseiller légiste, choisi parmi ceux	*Tout compromis et clauses compromissoires en matière civile ou commerciale sont permis, et les décisions arbitrales ainsi rendues seront exécutées sur le visa du Président du tribunal de première instance, qui ne pourra refuser son visa qu'au cas où la décision serait contraire à l'ordre public.*
	La présente déclaration sera valable pour une durée de cinq années.

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prévus audit alinéa. Lorsqu'un Tribunal ou une Cour jugera, en dernier ressort, sa composition comportera toujours un nombre de conseillers légistes assurant à ceux-ci la majorité dans les délibérations.	
(4°) Dans les villes de Constantinople, Smyrne, Samsoun et Adana, les mandats d'amener et d'arrêt, ainsi que les mandats ordonnant des visites domiciliaires, ne seront décernés contre des étrangers que sur le visa d'un des Conseillers légistes prévus au paragraphe 1°, alinéa 2, de la présente Déclaration, devant lequel le prévenu sera traduit sans délai.	
Les étrangers qui auront été arrêtés sans mandat dans le cas de flagrant délit, ou qui auront été arrêtés ailleurs que dans les villes ci-dessus désignées, pourront toujours réclamer d'être envoyés sans délai et au plus tard dans les 48 heures de l'arrestation devant un des conseillers légistes affectés au service judiciaire dans la plus proche desdites villes. Passé ce délai la mise en liberté est obligatoire.	

L'original de la présente Déclaration sera déposé dans les archives du Gouvernement de la République Française, qui en remettra une expédition authentique à chacune des Puissances signataires du Traité de Paix en date de ce jour.

Fait à Lausanne, le .... 19.

(Signatures et cachets.)

Document No. V of Final Act.

PROJET DE DÉCLARATION RELATIVE À LA PARTICIPATION DE L'ALBANIE AU PAIEMENT DE LA DETTE PUBLIQUE OTTOMANE.

(Maintenu.)

L'Albanie déclare accepter de supporter les charges financières et obligations économiques qui lui incombent en tant que territoire détaché de l'ancien empire ottoman, et qui lui seront fixées ultérieurement aux dispositions du Traité de Paix signé à Lausanne le 19

En foi de quoi le soussigné, après avoir exhibé aux Puissances signataires dudit Traité de Paix ses pleins pouvoirs trouvés en bonne et due forme, a signé la présente Déclaration.

L'original de la présente Déclaration restera déposé dans les archives de la République Française, qui en délivrera des expéditions authentiques à chacune desdites Puissances ainsi qu'à l'Albanie et la Bulgarie.

Fait à Lausanne, le ..... 19.....

Document No. VI of Final Act.

Allied Draft Treaty of January 31, 1923	*Turkish Counter-Proposals of March 8, 1923.*
PROJET DE CONVENTION *relative au Régime du Commerce avec* LA TURQUIE.	PROJET DE CONVENTION *commerciale entre* LA TURQUIE *et les Puissances Alliées.*
L'Empire Britannique, la France, l'Italie, le Japon, la Grèce, la Roumanie, l'Etat Serbe-Croate-Slovène, d'une part,	L'Empire Britannique, la France, l'Italie, le Japon, la Grèce, la Roumanie, l'Etat serbe-croate-slovène, d'une part,
Et la Turquie, d'autre part,	Et la Turquie, d'autre part,
Unanimes à considérer le régime commercial résultant des anciennes capitulations comme ne correspondant plus au progrès économique de la Turquie.	
Et animés du désir d'établir leurs relations économiques sur la base du droit et dans les termes les plus propres à encourager le commerce et à faciliter les échanges,	Animés du désir d'établir leurs relations économiques sur la base du droit *international* et dans les termes les plus propres à encourager le commerce et à faciliter les échanges,
Ont résolu de conclure une Convention à cette fin et ont nommé pour leurs Plénipotentiaires, savoir :	Ont résolu de conclure une Convention à cette fin et ont nommé pour leurs Plénipotentiaires, savoir :
. . . . .	. . . . .
Lesquels, après avoir exhibé leurs pleins pouvoirs trouvés en bonne et due forme, sont convenus des dispositions suivantes :	Lesquels, après avoir exhibé leurs pleins pouvoirs trouvés en bonne et due forme, sont convenus des dispositions suivantes :
SECTION I	
Article 1	
A partir de la mise en vigueur de la présente Convention, le régime commercial résultant des Capitulations, ainsi que de la Convention du 25 avril 1907, revisée le 23 avril 1911, est abrogé entre la Turquie et les autres Puissances contractantes.	(Supprimé)
Article 2.	*Article* .
Dès la mise en vigueur de la présente Convention, les tarifs applicables à leur importation en Turquie aux produits naturels ou fabriqués originaires et en provenance des territoires des autres pays contractants, seront ceux du tarif spécifique ottoman mis en vigueur le 1er septembre 1916, payables *en monnaie turque.*	Dès la mise en vigueur de la présente Convention, les tarifs applicables à leur importation en Turquie aux produits naturels ou fabriqués originaires et en provenance des territoires des autres pays contractants, seront ceux du tarif spécifique ottoman mis en vigueur le 1er septembre 1916.
Article 3	*Article*
Les coefficients de majoration applicables aux droits inscrits au tarif de 1916 perçus en monnaie papier, seront ceux qui étaient en vigueur au 15 *décembre* 1922.	Les coefficients de majoration applicables aux droits inscrits au tarif de 1916 perçus en monnaie papier, seront ceux qui étaient en vigueur au 1er *mars* 1923.
Toutefois, les articles qui, à la même date étaient prohibés ou qui étaient soumis à un coefficient supérieur à 12, seront ramenés au dit coefficient. Les	Toutefois, les articles qui, à la même date étaient prohibés ou qui étaient soumis à un coefficient supérieur à 12, seront ramenés audit coefficient. Les

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articles énumérés au Tableau annexe I seront soumis au coefficient 8.	articles énumérés au Tableau annexe I seront soumis au coefficient 9.
Les coefficients ci-dessus établis seront maintenus à moins que la différence moyenne entre la livre turque papier et la livre turque or n'ait marqué, un mois durant, une augmentation ou une diminution d'au moins 30 pour cent par rapport à la différence qui existait *à la date de la mise en vigueur du présent Traité.* Dans ce cas, et après chaque revalorisation ou dévaluation de même importance de la devise turque, la Turquie devra diminuer ou pourra augmenter les coefficients dans une proportion égale à la revalorisation ou à la dévaluation constatée par la moyenne *mensuelle* des changes.	Les coefficients ci-dessus établis *ainsi que le coefficient 5* seront maintenus à moins que la différence moyenne entre la livre turque papier et la livre turque or n'ait marqué, *trois* mois durant, une augmentation ou une diminution d'au moins 30% par rapport à la différence qui existait *au mois de février 1923.*
Toutefois, en cas de revalorisation de sa devise, la Turquie ne sera tenue à diminuer le coefficient 5, pour les droits qui y ont actuellement soumis, qu'à partir du moment où *ce coefficient dépasserait le coefficient compensatoire de la dévaluation de la devise turque, par rapport à l'or.*	Dans ce cas, et après chaque revalorisation ou dévaluation de même importance de la devise turque, la Turquie devra diminuer ou pourra augmenter les coefficients dans une proportion égale à la revalorisation ou à la dévaluation constatée par la moyenne *trimestrielle* des changes.
En cas de réforme monétaire, les divers coefficients ci-dessus fixés seraient modifiés en fonction de la différence entre la nouvelle monnaie et l'ancienne, de manière à ne pas altérer l'incidence des droits de douane.	Toutefois, en cas de revalorisation de sa devise, la Turquie ne sera tenue à diminuer le coefficient 5, pour les droits qui y sont actuellement soumis, qu'à partir du moment où *la valeur de la livre turque ne tomberait au dessous de cinq livres turques papier.*
	En cas de réformer monétaire, les divers coefficients ci-dessus fixés seraient modifiés en fonction de la différence entre la nouvelle monnaie et l'ancienne, de manière à ne pas altérer l'incidence des droits de douane.
Article 4.	*Article* .
La Turquie s'engage à supprimer dès la mise en vigueur de la présente Convention et à ne pas rétablir ensuite pendant la durée de la présente Convention, toutes prohibitions d'importation et d'exportation autres que celles qui pourraient être nécessaires pour :	La Turquie s'engage à supprimer dès la mise en vigueur de la présente Convention et à ne pas rétablir ensuite pendant la durée de la présente Convention, toutes prohibitions d'importation et d'exportation autres que celles qui pourraient être nécessaires pour :
(1°) réserver les ressources indispensables à la vie alimentaire et à l'activité économique de la nation ;	(1°) réserver les ressources indispensables à la vie alimentaire et à l'activité économique de la nation ;
	(2°) *prévenir les inconvénients graves menaçant son régime économique ;*
(2°) assurer la sécurité de l'Etat ;	(3°) assurer la sécurité de l'Etat ;
(3°) préserver les personnes, les animaux et les plantes contre les maladies contagieuses, épizooties et épiphyties ;	(4°) préserver les personnes, les animaux et les plantes contre les maladies contagieuses, épizooties et épiphyties ;
(4°) empêcher l'usage de l'opium et autres toxiques ;	(5°) empêcher l'usage de l'opium et autres toxiques ;
(5°) interdire l'importation des produits alcooliques dont l'usage est prohibé à l'intérieur ;	(6°) interdire l'importation des produits alcooliques dont l'usage est prohibé à l'intérieur ;
(6°) empêcher l'exportation de la monnaie or ou du métal or ;	(7°) empêcher l'exportation de la monnaie or ou du métal or ;
	(8°) *établir ou maintenir des monopoles d'Etats ;*
A condition qu'une équitable réciprocité lui soit accordée par chacune des	A condition qu'une équitable réciprocité lui soit accordée par chacune des

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autres Puissances contractantes aux termes de sa législation, la Turquie s'engage à appliquer les prohibitions, sans discrimination d'aucune sorte et, au cas où elle accorderait des dérogations ou licences pour des produits prohibés, à ne point favoriser le commerce d'une autre Puissance contractante ou d'une Puissance quelconque au détriment du commerce d'aucune Puissance contractante.

Article 5.

Aucun droit *d'accise*, de consommation, *d'octroi et en général aucun droit ou taxe intérieure ou locale* ne sera applicable en Turquie aux marchandises originaires et en provenance des autres pays contractants que dans la mesure où il est perçu sur des articles identiques et similaires *dont sa production effective est* en Turquie.

En outre, la Turquie pourra continuer à percevoir dans les mêmes conditions d'égalité entre ses ressortissants et les ressortissants des autres pays contractants pour les produits énumérés au Tableau de l'annexe II les droits de consommation indiqués audit Tableau.

Article 6.

Sous condition d'une équitable réciprocité que chacune des autres Puissances contractantes accordera à la Turquie, conformément à sa législation, tout droit d'exportation que la Turquie aura établi ou pourrait éventuellement établir sur un produit quelconque, naturel ou fabriqué, sera également appliqué à tous pays destinataires, sans que par un moyen direct ou indirect ou par des surtaxes ou exonérations de quelque nature et sous quelque dénomination que ce soit, il puisse être institué une discrimination au détriment du commerce de l'une quelconque des autres Puissances contractantes.

Article 7.

Le bénéfice des dispositions des articles 2 à 6 est accordé en Turquie pour une durée de cinq années, *à dater de la mise en vigueur de la présente Convention*, à chacune des autres Puissances contractantes, *lesquelles* bénéficieront en outre de tout traitement plus favorable que, pour les matières visées aux dits articles, la Turquie pourrait accorder à tout autre pays, *soit en vertu de conventions anciennes, soit* en vertu de mesures et conventions nouvelles à l'exclusion toutefois des avantages spéciaux qu'en matière de

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autres Puissances contractantes, aux termes de sa législation, la Turquie s'engage à appliquer les prohibitions, sans discrimination d'aucune sorte et, au cas où elle accorderait des dérogations ou licences pour des produits prohibés, à ne point favoriser le commerce d'une autre Puissance contractante ou d'une Puissance quelconque au détriment du commerce d'aucune Puissance contractante.

Article

Aucun droit, de consommation, ne sera applicable en Turquie aux marchandises originaires et en provenance des autres pays contractants que dans la mesure où il est perçu sur des articles identiques et similaires *produits* en Turquie.

En outre, la Turquie pourra continuer à percevoir dans les mêmes conditions d'égalité entre ses ressortissants et les ressortissants des autres pays contractants pour les produits énumérés au Tableau de l'annexe II les droits de consommation indiqués audit Tableau.

Article

Sous condition d'une équitable réciprocité que chacune des autres Puissances contractantes accordera à la Turquie, conformément à sa législation, tout droit d'exportation que la Turquie aura établi ou pourrait établir sur un produit quelconque, naturel, ou fabriqué, sera également appliqué à tous pays destinataires, sans que par un moyen direct ou par des surtaxes ou exonérations de quelque nature et sous quelque dénomination que ce soit, il puisse être institué une discrimination au détriment du commerce de l'une quelconque des autres Puissances contractantes.

Article

Le bénéfice des dispositions des articles 1° à 5 est accordé en Turquie *à la Grande-Bretagne, à la France, à l'Italie, au Japon* pour une durée de cinq années, *et* à chacune des autres Puissances contractantes *pour une durée d'une année à dater de la mise en vigueur de la présente Convention*.

Les Etats susmentionnés bénéficieront en outre de tout traitement plus favorable, que, pour les matières visées aux dits articles, la Turquie pourrait accorder à tout autre pays en vertu de

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tarifs ou généralement en toute matière commerciale, la Turquie pourrait accorder à l'un quelconque des territoires détachés de la Turquie en vertu du Traité de paix en date de ce jour.

Article 8.

Le bénéfice des dispositions *des articles 2 à 7* ne pourra toutefois être réclamé par aucune des Puissances contractantes qui n'accorderait pas à la Turquie, pendant *la même période de cinq ans*, un traitement aussi favorable que celui *qu'aux termes de sa législation respective* elle *peut* accorder à tous autres pays étrangers.

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mesures et conventions nouvelles, à l'exclusion toutefois des avantages spéciaux qu'en matière de tarifs ou généralement en toute matière commerciale, la Turquie pourrait accorder à l'un quelconque des territoires détachés de la Turquie en vertu de la présente Convention *ou à un autre Etat limitrophe pour le commerce de frontière.*

Article

Le bénéfice des dispositions *de la présente section* ne pourra toutefois être réclamé par aucune des Puissances contractantes qui n'accorderait pas à la Turquie, pendant *toute la durée de la Convention*, un traitement aussi favorable que celui qu'elle *accorde ou a déjà accordé* à tout autre pays étranger.

Article

Chacune des Hautes Parties contractantes pourra exiger pour établir le pays d'origine des produits importés la présentation par l'importateur d'une déclaration officielle constatant que l'article importé est de production et de fabrication nationale dudit pays, ou qu'il doit être considéré comme tel, étant donnée la transformation qu'il y a subie.

Les certificats d'origine, établis conformément au modèle annexé au présent Traité sous le No. 1, seront délivrés soit par le Ministère du Commerce ou celui de l'Agriculture, soit par les chambres de commerce dont relève l'expéditeur, soit par tout autre organe ou groupement que le pays destinataire aura agréé. Ils seront légalisés par une représentation diplomatique ou consulaire du pays destinataire.

Au cas où l'expéditeur pourra craindre que, malgré le certificat d'origine accompagnant la marchandise, celle-ci demeure sujette à contestation, il pourra faire confirmer le certificat d'origine par un certificat de vérification établi et signé à la fois par l'auteur du certificat d'origine et par un agent technique que désignera le représentant diplomatique ou consulaire du pays destinataire. Cet agent pourra, pour procéder à la vérification, exiger toute preuve ou communication expédiente. Si la marchandise est accompagnée d'un certificat de vérification, elle ne sera assujettie à expertise légale en douane que dans le cas de fraude ou de substitution présumée.

Les colis seront dispensés du certificat d'origine quand le pays destinataire reconnaîtra qu'il ne s'agit pas d'envois revêtant un caractère commercial.

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Article 9.	
Les dispositions de la présente Section sont conclues pour une durée de cinq années. La Turquie s'engage à entreprendre à tout moment et à poursuivre activement, sur la demande qui lui en serait faite par une autre Puissance contractante, avant l'expiration de cette période, des négociations en vue de la conclusion de traités de commerce.	(Supprimé)
Ces Traités seront conclus sans porter atteinte à l'équitable traitement du commerce stipulé à l'article 23 (*e*) du Pacte de la Société des Nations.	

ANNEXE I.

Liste des articles soumis au coefficient 8.

67 Pommes de terre.
68 Oranges.
124 Préparations sucrées.
126 Eaux minérales.
178 Peaux vernies.
180 Peaux de porc.
187-187-188 Chaussures.
192 Gants.
200-201 Pelleteries ouvrées et autres.
217-218 Meubles.
270 Les autres actuellement prohibés.
273-274 et 275 Broderies, dentelles et tissus de coton.
302 Bourre de soie.
303 Gazes, etc.
306 Tulle de soie, etc.
308 Tissus de soie.
311-312 Bonneterie de soie.
314 Passementerie de soie.
324 Chales et couvertures de laine.
330 Vêtements.
348 Ombrelles, parapluies, cannes, etc.

ANNEXE II.

Taxes de consommation.

Thé	10	piastres	par	kilo.
Café	20	„	„	„
Pétrole	5	„	„	„
Riz	10	„	„	„
Margarine	80	„	„	„
Bougies de stéarine ...	20	„	„	„
Savon ordinaire ...	5	„	„	„
Sacs neufs et usagés ...	5	„	„	„
Epices	20	„	„	„
Allumettes	1	„	„	boîte.
Allumettes bougies ...	1	„	„	„
Papier à cigarettes ...	1	„	„	50 feuilles.
Réglets	25	„	„	bouquet.
Sucre	15	„	„	kilo.
Biscuits				
Chocolat	Soumis à une taxe de			
Lait condensé	consommation d'après le			
Confiserie	pourcentage de sucre			
Boissons non alcooliques (gazeuses et limonades)	contenu.			

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SECTION 2.	
Article 10.	
La Turquie s'engage, à condition qu'un traitement réciproque lui soit accordé en la matière, à accorder aux navires des autres Puissances contractantes un traitement égal à celui qu'elle accorde aux navires nationaux ou un traitement plus favorable qu'elle accorde ou pourrait accorder aux navires de toute autre Puissance.	*Article* La Turquie s'engage, à condition qu'un traitement réciproque lui soit accordé en la matière, à accorder aux navires des autres Puissances contractantes un traitement égal à celui qu'elle accorde aux navires nationaux ou un traitement plus favorable qu'elle accorde ou pourrait accorder aux navires de toute autre Puissance.
Le droit est expressément reconnu aux Hautes Parties Contractantes de réserver *au pavillon national* la pêche, le cabotage maritime, c'est-à-dire le transport par mer de marchandises embarquées dans un port du territoire *national* vers un autre port du même territoire et les services des ports, c'est-à-dire le remorquage, le pilotage et tous services intérieurs de quelque nature que ce soit.	*Chacune des* Hautes Parties Contractantes *conserve le droit* de réserver *à ses ressortissants et à son pavillon* la pêche, le cabotage maritime, c'est-à-dire le transport par mer de marchandises *et voyageurs* embarqués dans un port *de son* territoire vers un autre port du même territoire et les services des ports, c'est-à-dire le remorquage, le pilotage et tous services inférieurs de quelque nature que ce soit.
Si la Turquie réserve au pavillon national le cabotage maritime et la pêche; elle pourra néanmoins accorder à cet égard un traitement spécial au pavillon de l'un quelconque des territoires détachés en vertu du Traité de paix en date de ce jour, sans que le bénéfice de ce traitement puisse être réclamé par d'autres pavillons.	
La Turquie permettra à titre transitoire pendant une période de cinq ans le transport de marchandises et voyageurs d'un port turc à un autre port turc aux entreprises qui ressortissent aux autres pays contractants et qui ne seraient point affectées exclusivement à ce trafic.	
Article 11.	*Article*
L'égalité de traitement sera accordée à titre réciproque en ce qui concerne le droit d'importer ou d'exporter toute espèce de marchandise ou de transporter les voyageurs à destination ou en provenance du pays, et la jouissance de toutes facilités quant au stationnement, au chargement et au déchargement des vaisseaux aux ports, docks, quais et rades.	L'égalité de traitement sera accordée *entre la Turquie et les autres Parties Contractantes* à titre réciproque en ce qui concerne le droit d'importer ou d'exporter toute espèce de marchandises ou de transporter les voyageurs à destination ou provenance du pays, et la jouissance de toutes facilités quant au stationnement, au chargement et au déchargement des vaisseaux aux ports, docks, quais et rades.
Il y aura aussi une égalité absolue, sous la même condition de réciprocité en ce qui concerne les droits, charges et paiements de toute espèce prélevés sur les navires, comme les droits sanitaires, les droits de port, de quai, de mouillage, de pilotage, de quarantaine, de phares et autres droits similaires perçus au nom ou au profit du gouvernement, de fonctionnaires, des individus privés, des associa	Il y aura aussi une égalité absolue, sous la même condition de réciprocité, en ce qui concerne les droits, charges et paiements de toute espèce prélevés sur les navires, comme les droits sanitaires, les droit de port, de quai, de mouillage, de pilotage, de quarantaine, de phares et autres droits similaires perçus au nom ou au profit du gouvernement, de fonctionnaires, des individus privés, des

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tions ou des établissements de toute espèce.

La Turquie s'engage de même et moyennant réciprocité à ne grever les marchandises importées ou exportées d'aucun droit différentiel, surtaxe ou majoration de quelque nature ou sous quelque dénomination que ce soit, fondés sur le pavillon du navire importateur ou exportateur, sur les ports d'arrivée ou de départ, sur le voyage du navire ou sur les escales, les droits et taxes imposables aux marchandises importées ou exportées n'étant déterminés que par leur origine et provenance ou leur destination et étant également applicables pour toutes les autres Puissances contractantes, en vertu des dispositions de la Section I.

Article 12.

Toute espèce de certificat ou de documents ayant rapport aux navires et bateaux, à leurs cargaisons et à leurs passagers qui étaient reconnus comme valables par la Turquie avant la guerre, ou qui pourront ultérieurement être reconnus comme valables par les principaux Etats maritimes seront reconnus par la Turquie, vis-à-vis des navires ressortissant aux autres Puissances contractantes, comme valables et comme équivalents aux certificats correspondants octroyés à des navires et bateaux tures.

Article 13

Les dispositions de la présente Section seront appliquées par les Hautes Parties Contractantes pendant une période de dix années à compter de la mise en vigueur de la présente Convention.

SECTION 3

Article 14

La Turquie s'engage à prendre toutes les mesures législatives ou administratives et à permettre tout recours en justice à l'effet de garantir les produits naturels ou fabriqués originaires de l'une quelconque des autres Puissances contractantes contre toute forme de concurrence déloyale dans les transactions commerciales.

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associations ou des établissements de toute espèce.

La Turquie s'engage de même et moyennant réciprocité à ne grever les marchandises importées ou exportées d'aucun droit différentiel, surtaxe ou majoration de quelque nature ou sous quelque dénomination que ce soit, fondés sur le pavillon du navire importateur ou exportateur, sur les ports d'arrivée ou de départ, sur le voyage du navire ou sur les escales, les droits et taxes imposables aux marchandises importées ou exportées n'étant déterminés que par leur origine et provenance ou leur destination et étant également applicables pour toutes les autres Puissances contractantes, en vertu des dispositions de la Section I.

Article

Toute espèce de certificat ou de documents ayant rapport aux navires et bâteaux, à leurs cargaisons et à leurs passagers qui étaient reconnus comme valables par la Turquie avant la guerre, ou qui pourront ultérieurement être reconnus comme valables par les principaux Etats maritimes seront reconnus par la Turquie, vis-à-vis des navires ressortissant aux autres Puissances contractantes, comme valables et comme équivalents aux certificats correspondants octroyés à des navires et bâteaux tures.

Ces stipulations ne seront valables que si les certificats et documents délivrés par la Turquie aux navires et bâteaux tures sont considérés par les autres Parties Contractantes comme équivalents aux certificats et documents délivrés par elles mêmes.

Article

(Supprimé.)

Article

La Turquie s'engage *à condition de réciprocité* à prendre toutes les mesures législatives ou administratives et à permettre tout recours en justice à l'effet de garantir les produits naturels ou fabriqués originaires de l'une quelconque des autres Puissances contractantes contre toute forme de concurrence déloyale dans les transactions commerciales.

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La Turquie s'engage à réprimer et prohiber par des sanctions appropriées l'importation ou l'exportation, ainsi que la fabrication, la circulation, la vente et la mise en vente à l'intérieur, de tous produits ou marchandises qui portent sur eux-mêmes ou sous leur conditionnement immédiat ou sur leur emballage extérieur des marques, noms, inscriptions ou signes quelconques comportant, directement ou indirectement, de fausses indications sur l'origine, l'espèce, la nature ou les qualités spécifiques de ces produits ou marchandises.

Article 15.

La Turquie, à la condition qu'un traitement réciproque lui soit accordé en cette matière, s'engage à se conformer aux lois, ainsi qu'aux décisions administratives ou judiciaires prises conformément à ces lois, en vigueur dans un autre pays contractant et régulièrement notifiées à la Turquie par les autorités compétentes, déterminant ou réglementant le droit à une appellation régionale pour les produits qui tirent du sol ou du climat leurs qualités spécifiques ou les conditions dans lesquelles l'emploi d'une appellation régionale peut être autorisée; et l'importation, l'exportation ainsi que la fabrication, la circulation, la vente ou mise en vente des produits ou marchandises portant des appellations régionales, contrairement aux lois ou décisions précitées, seront interdites par la Turquie et réprimées par les mesures prescrites à l'article 14.

Article 16.

La Turquie s'engage, avant l'expiration d'un délai de douze mois à partir de la mise en vigueur de la présente Convention :

(1°) à adhérer dans les formes prescrites à la Convention Internationale de Paris du 20 mars 1883 pour la protection de la propriété industrielle, revisée à Washington le 2 juin 1911, ainsi qu'à la Convention Internationale de Berne du 9 septembre 1886 pour la protection des œuvres littéraires et artistiques, revisée à Berlin le 13 novembre 1908 et au Protocole Additionnel de Berne du 20 mars 1914 relatif à la protection des œuvres littéraires et artistiques;

2°) dès avant l'expiration du même délai, à reconnaître et protéger par

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La Turquie s'engage *de même à condition de réciprocité* à réprimer et prohiber par des sanctions appropriées l'importation ou l'exportation, ainsi que la fabrication, la circulation, la vente et la mise en vente à l'intérieur, de tous produits ou marchandises qui portent sur eux-mêmes ou sous leur conditionnement immédiat ou sur leur emballage extérieur des marques, noms, inscriptions ou signes quelconques comportant, directement ou indirectement, de fausses indications sur l'origine, l'espèce, la nature ou les qualités spécifiques de ces produits ou marchandises.

(Maintenu.)

Article .

La Turquie s'engage, avant l'expiration d'un délai de douze mois à partir de la mise en vigueur de la présente Convention :

1° à adhérer dans les formes prescrites à la Convention Internationale de Paris du 20 mars 1883 pour la protection de la propriété industrielle, revisée à Washington le 2 juin 1911, ainsi qu'à la Convention internationale de Berne du 9 septembre 1886 pour la protection des œuvres littéraires et artistiques, revisée à Berlin le 13 novembre 1908 et au Protocole Additionnel de Berne du 20 mars 1914 relatif à la protection des œuvres littéraires et artistiques; *sous réserve des dispositions relatives au droit de traduction;*

2° dès avant l'expiration du même délai, à reconnaître et protéger *avec la*

Allied Draft Treaty of January 31, 1923	*Turkish Counter-Proposals of March 8, 1923.*
législation effective, conformément aux principes desdites Conventions, la propriété industrielle, littéraire et artistique des nationaux des autres Puissances contractantes.	*réserve précédente*, par législation effective, conformément aux principes desdites Conventions, la propriété industrielle, littéraire et artistique des nationaux des autres Puissances contractantes.
Article 17.	
Des Conventions spéciales entre les pays intéressés régleront toutes questions concernant les archives, registres et plans relatifs au service de la propriété industrielle, littéraire et artistique, ainsi que leur transmission ou communication éventuelle par les offices de la Turquie aux offices des États en faveur desquels des territoires sont détachés de la Turquie.	(Maintenu.)
	SECTION IV
	DISPOSITIONS FINALES.
Article 18.	*Article*
Les Puissances contractantes se réservent le droit de déclarer au moment de la mise en vigueur de la présente Convention que les dispositions de ladite Convention ne s'appliqueront pas à tout ou partie de leurs Dominions jouissant d'un gouvernement autonome, de leurs colonies, pays de protectorat, possessions, ou territoires d'outre-mer soumis à leur souveraineté ou autorité et, dans ce cas, la Turquie serait déliée des obligations qui résultent pour elle de la présente Convention envers lesdits Dominions, colonies, pays de protectorat, possessions et territoires.	Les Puissances contractantes se réservent le droit de déclarer au moment de la mise en vigueur de la présente Convention que les dispositions de ladite Convention ne s'appliqueront pas à tout ou partie de leurs Dominions jouissant d'un gouvernement autonome, de leurs colonies, pays de protectorat, possessions, ou territoires d'outremer soumis à leur souveraineté ou autorité et, dans ce cas, la Turquie, serait déliée des obligations qui résultent pour elle de la présente Convention envers lesdits Dominions, colonies, pays de protectorat, possessions et territoires.
Toutefois, lesdites Puissances pourront adhérer ultérieurement, au nom de tout Dominion jouissant d'un gouvernement autonome, colonie, pays de protectorat, possession ou territoire, pour lesquels elles auraient, aux termes de la présente Convention, fait une déclaration qui l'excluait, de même qu'elles pourront dénoncer séparément les stipulations ci-dessus au nom de tout Dominion jouissant d'un gouvernement autonome, colonie, pays de protectorat, possession ou territoire soumis à leur souveraineté ou autorité, après avoir, à cet effet, donné un préavis de six mois.	*Dans le cas où les colonies, pays de protectorat, etc., susénumérés ne seraient pas exclus du bénéfice de la présente Convention ils devront appliquer à l'égard de la Turquie pour chaque disposition, la réciprocité ou le traitement de la nation la plus favorisée selon que l'un ou l'autre de ces traitements y est stipulé*
Article 19.	
Les Puissances non signataires seront admises à adhérer à la présente Convention.	(Supprimé)
Cette adhésion sera signifiée par la voie diplomatique, au Gouvernement de la République française et par celui-ci à	

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tous les Etats signataires ou adhérents. Elle portera effet à dater du jour de la signification au Gouvernement français.	
	Article
	La présente Convention est, en ce qui concerne la Section I, conclue entre la Turquie d'une part et la Grande-Bretagne, la France, l'Italie et le Japon d'autre part pour une durée de 5 années et entre la Turquie et les Puissances autres que celles énumérées ci-dessus pour une durée d'une année.
	Les dispositions des Sections II, III et IV auront une durée de cinq années.
	Chacune des Parties Contractantes s'engage à entreprendre à tout moment et à poursuivre activement, sur la demande qui lui en serait faite par une autre Puissance Contractante avant l'expiration de ces périodes des négociations en vue de la conclusion de nouveaux traités de commerce.
	Pour le cas où, avant l'expiration des délai ci-haut prévus, de nouvelles dispositions n'auraient pas été conclues, chacune des Hautes Parties Contractantes acquerra sa liberté d'action.
Article 20.	(Maintenu.)
La présente Convention sera ratifiée.	
Les ratifications en seront déposées à Paris aussitôt que faire se pourra.	
Elle entrera en vigueur dans les mêmes conditions que le Traité de paix signé à la date de ce jour.	
En foi de quoi les Plénipotentiaires susnommés ont signé la présente Convention.	
Fait à Lausanne le.....	
En ... en un seul exemplaire qui sera déposé dans les archives du Gouvernement de la République française, lequel en remettra une expédition authentique à chacune des Puissances signataires	
. . . . .	
. . . . .	
(Signatures et cachets.)	

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Allied Draft Treaty of January 31, 1923	*Turkish Counter-Proposals of March 8, 1923*
PROJET DE DÉCLARATION RELATIVE A L'AMNISTIE	
Les Puissances signataires du Traité de Paix en date de ce jour,	(Maintenu)
Également animées du désir de faire l'oubli sur les événements qui ont troublé la paix en Orient.	
Sont tombés d'accord pour déclarer :	
I.	
Aucun des habitants de la Turquie et réciproquement aucun des habitants de la Grèce ne devra être inquiété ou molesté en Turquie et réciproquement en Grèce, sous aucun prétexte, en raison de sa conduite militaire ou politique ou en raison d'une assistance quelconque qu'il aurait donnée à une Puissance étrangère signataire du Traité de Paix en date de ce jour ou à ses ressortissants entre le 1er août 1914 et le 20 novembre 1922	(Maintenu)
II.	
Aucun des habitants des territoires détachés de la Turquie en vertu dudit Traité de Paix ne devra également être inquiété ou molesté soit en raison de son attitude politique contraire à la Turquie ou favorable à celle-ci, pendant la période du 1er août 1914 au 20 novembre 1922, soit en raison du règlement de sa future nalité en vertu dudit Traité	Aucun des habitants des territoires détachés de la Turquie en vertu dudit Traité de paix ne devra également être inquiété ou molesté soit en raison de son attitude politique *ou militaire* contraire à la Turquie ou favorable à celle ci, pendant la période du 1er août 1914 au 20 novembre 1922, soit en raison du règlement de sa nationalité en vertu dudit Traité
III.	
Amnistie pleine et entière sera respectivement accordée par le Gouvernement turc et par le Gouvernement hellénique pour tous crimes et délits commis durant la même période en connexion évidente avec les événements politiques survenus pendant cette période	(Maintenu)
	Article
	Les ressortissants turcs qui auraient été arrêtés ou poursuivis dans les régions occupées de la Turquie par les autorités alliées du chef des infractions politiques militaires ou le droit commun soit encore pour les motifs de sûreté ou de police ou pour toute autre raison emmenés en dehors de la Turquie seront restitués au Gouvernement turc immédiatement après la signature du Traité de paix sans prendre en considération le fait qu'il aurait été déjà condamné ou non

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IV.	
Toutes condamnations prononcées de ce chef seront annulées et toutes poursuites en cours seront arrêtées.	(Maintenu)
V.	
Le Gouvernement turc, partageant le souci de pacification générale dont sont animées toutes les Puissances, déclare son intention de ne pas contester les opérations effectuées sous les auspices des Alliés, pendant la période comprise entre le 20 Octobre 1918 et le 20 Novembre 1922, dans le but de rétablir les familles dispersées en raison de la guerre et de replacer les ayants-droit légitimes en possession de leurs biens.	Le Gouvernement turc, partageant le souci de pacification générale dont sont animées toutes les Puissances, déclare son intention de ne pas contester les opérations effectuées sous les auspices des Alliés, pendant la période comprise entre le 20 octobre 1918 et le 20 novembre 1922, dans le but de rétablir les familles dispersées en raison de la guerre et de replacer les ayants-droit légitimes en possession de leurs biens.
Toutefois, cette intention n'exclut pas la possibilité d'une revision des opérations susvisées en cas de recours des intéressés. Les réclamations relatives aux personnes et aux biens seront examinées par une Commission composée d'un délégué du Croissant-Rouge et d'un délégué de la Croix-Rouge. En cas de divergence, ces derniers choisiront un surarbitre ; s'ils ne peuvent pas s'entendre sur ce choix, le surarbitre sera désigné par *le Président* de la Cour Permanente de Justice Internationale de La Haye.	Toutefois, cette intention n'exclut pas la possibilité d'une revision des opérations susvisées en cas de recours des intéressés. Les réclamations relatives aux personnes et aux biens seront examinées par une Commission composée d'un délégué du Croissant Rouge et d'un délégué de la Croix-Rouge. En cas de divergence, ces derniers choisiront un surarbitre ; s'ils ne peuvent pas s'entendre sur ce choix, le sur-arbitre sera désigné par la Cour Permanente de Justice Internationale de la Haye.
Fait à Lausanne, le. . . . . 19..... en un seul exemplaire qui restera déposé dans les archives du Gouvernement de la République française, et dont une expédition authentique sera remise à chacune des Puissances signataires.	(Maintenu.)
(Signatures.)	
PROTOCOLE ANNEXE À LA DÉCLARATION RELATIVE À L'AMNISTIE.	
Par dérogation à l'article 1er de la Déclaration relative à l'amnistie le Gouvernement turc ayant déclaré qu'il réserve le droit d'interdire le séjour ou l'accès en Turquie de 150 personnes qui rentrent dans la catégorie des individus visés à l'article susmentionné, les Gouvernements alliés ont pris note de cette réserve.	
En conséquence, le Gouvernement turc pourra expulser de son territoire ceux des individus en question qui s'y trouveraient actuellement et interdire le retour de ceux qui sont à l'étranger.	
Le Gouvernement turc pourra liquider les biens de ces personnes situés en Turquie et tant qu'elles ne l'auraient pas effectué directement ou par leur manda-	

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taire dans un délai de six mois à compter de la signature de Traité de Paix.

Fait à Lausanne le ..... 1923... en un seul exemplaire, qui restera déposé dans les archives du Gouvernement de la République française et dont une copie authentique sera remise à chacune des Puissances signataires.

Document No. VIII of Final Act.

CONVENTION CONCERNANT L'ECHANGE DES POPULATIONS GRECQUES ET TURQUES.

Signé à Lausanne le 30 *janvier* 1923.

Le Gouvernement de la Grande Assemblée Nationale de la Turquie et le Gouvernement hellénique sont convenus des dispositions suivantes :

Article 1.

Il sera procédé dès le 1er mai 1923 à l'échange obligatoire des ressortissants turcs de religion grecque-orthodoxe établis sur les territoires turcs et des ressortissants grecs de religion musulmane établis sur les territoires grecs.

Ces personnes ne pourront venir se rétablir en Turquie ou respectivement en Grèce, sans l'autorisation du Gouvernement turc ou respectivement du Gouvernement hellénique.

Article 2.

Ne seront pas compris dans l'échange prévu à l'article 1er :

(*a*) les habitants grecs de Constantinople ;

(*b*) les habitants musulmans de la Thrace occidentale.

Seront considérés comme habitants grecs de Constantinople tous les Grecs déjà établis avant le 30 octobre 1918 dans les circonscriptions de la Préfecture de la Ville de Constantinople, telles qu'elles sont délimitées par la loi de 1912.

Seront considérés comme habitants musulmans de la Thrace occidentale tous les musulmans établis dans la région à l'Est de la ligne-frontière établie en 1913 par le Traité de Bucarest.

Article 3.

Les Grecs et les musulmans ayant déjà quitté depuis le 18 octobre 1912 les territoires dont les habitants grecs et turcs doivent être respectivement échangés, seront considérés comme

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compris dans l'échange prévu dans l'article 1er.

L'expression "émigrant" dans la présente Convention comprend toutes les personnes physiques et morales devant émigrer ou ayant émigré depuis 18 octobre 1912.

Article 4.

Tous les hommes valides appartenant à la population grecque dont les familles ont déjà quitté le territoire turc et qui sont actuellement retenus en Turquie, constitueront le premier contingent de Grecs envoyés en Grèce conformément à la présente Convention.

Article 5.

Sous réserve des stipulations des articles 9 et 10 de la présente Convention, aucune atteinte ne sera portée aux droits de propriété et créances des Grecs de la Turquie, ou des musulmans de la Grèce par suite de l'échange à effectuer en vertu de la présente Convention.

Article 6.

Il ne pourra être apporté aucun obstacle, pour quelque cause que ce soit, au départ d'une personne appartenant aux populations à échanger. En cas de condamnation définitive à une peine afflictive et en cas de condamnation non encore définitive ou de poursuite pénale contre un émigrant, ce dernier sera livré, par les autorités du pays poursuivant, aux autorités du pays où il se rend, afin qu'il purge sa peine ou qu'il soit jugé.

Article 7.

Les émigrants perdront la nationalité du pays qu'ils abandonnent, et ils acquerront celle du pays de destination dès leur arrivée sur le territoire de ce pays.

Les émigrés qui auraient déjà quitté l'un ou l'autre des deux pays et qui n'auraient pas encore acquis leur nouvelle nationalité, acquerront cette nationalité à la date de la signature de la présente Convention.

Article 8.

Les émigrants seront libres d'emporter avec eux ou de faire transporter leurs biens meubles de toute nature sans qu'il leur soit imposé de ce chef aucun droit, soit de sortie, soit d'entrée, ni aucune autre taxe.

De même, les membres de toute communauté (y compris le personnel des

mosquées, tekkes, meddresses, églises, couvents, écoles, hôpitaux, sociétés, associations et personnes morales, ou autres fondations de quelque nature que ce soit), qui doit quitter le territoire d'un des Etats contractants en vertu de la présente Convention, auront le droit d'emporter librement ou de faire transporter les biens meubles appartenant à leurs communautés.

Les plus grandes facilités de transport seront fournies par les autorités des deux pays, sur la recommandation de la Commission mixte prévue dans l'article 11.

Les émigrants qui ne pourraient pas emporter tout ou une partie de leurs biens meubles pourront les laisser sur place. Dans ce cas, les autorités locales seront tenues d'établir contradictoirement avec l'émigrant l'inventaire et la valeur des biens meubles laissés par lui. Les procès-verbaux contenant l'inventaire et la valeur des biens meubles laissés par l'émigrant seront dressés en quatre exemplaires, dont l'un sera conservé par les autorités locales, le second sera remis à la Commission mixte prévue à l'article 11 pour servir de base à la liquidation prévue à l'article 9, le troisième exemplaire sera remis au Gouvernement du pays d'immigration et le quatrième à l'émigrant.

Article 9.

Les biens immobiliers, ruraux ou urbains, appartenant aux émigrants, aux communautés visées à l'article 8, ainsi que les biens meubles laissés par ces émigrants ou communautés, seront liquidés, conformément aux dispositions ci-après, par la Commission mixte prévue à l'article 11.

Les biens situés dans les régions soumises à l'échange obligatoire et appartenant aux institutions religieuses ou de bienfaisance des communautés établies dans une région non soumise à l'échange, devront également être liquidés dans les mêmes conditions.

Article 10.

La liquidation des biens mobiliers et immobiliers appartenant aux personnes ayant déjà quitté les territoires des Hautes Parties contractantes et considérées en vertu de l'article 3 de la présente Convention comme rentrant dans l'échange des populations, sera effectuée conformément à l'article 9 et indépendamment de toutes les mesures de quelque caractère que ce soit qui, conformément aux lois établies et aux règlements de

toute nature édictés depuis 18 octobre 1912 en Grèce et en Turquie ou de toute autre manière, ont eu pour résultat une restriction quelconque du droit de propriété sur ces biens, telles que confiscation, vente forcée et autres. Dans le cas où des biens visés au présent article ainsi que à l'article 9 auraient été frappés d'une mesure de cette nature, leur valeur sera fixée par la Commission prévue à l'article 11, comme si les mesures en question n'avaient pas été appliquées.

En ce qui concerne les biens expropriés, la Commission Mixte procédera à une nouvelle évaluation de ces biens expropriés depuis le 18 octobre 1912, qui appartenaient aux personnes soumises à l'échange dans les deux pays et qui sont situés dans les territoires soumis à l'échange. La Commission fixera en faveur des propriétaires une compensation qui réparera le préjudice qu'elle constatera. Le montant de cette compensation sera porté au crédit de ces propriétaires et au débit du Gouvernement sur le territoire duquel se trouvent les immeubles expropriés.

Au cas où les personnes visées aux articles 8 et 9 n'auraient pas touché le revenu des biens de la jouissance desquels elles auraient été privées d'une manière ou d'une autre, la restitution de la valeur de ces revenus leur sera assurée sur la base du rendement moyen d'avant-guerre, suivant les modalités à fixer par la Commission Mixte.

En procédant à la liquidation des biens Wakoufs en Grèce et des droits et intérêts en découlant, ainsi que des fondations analogues appartenant aux Grecs en Turquie, la Commission Mixte prévue à l'article 11 s'inspirera des principes consacrés dans les Traités antérieurs, dans le but de faire valoir pleinement les droits et intérêts de ces fondations et des particuliers qui y sont intéressés.

La Commission Mixte prévue à l'article 11 sera chargée d'appliquer ces stipulations.

Article 11.

Dans un délai d'un mois à partir de l'entrée en vigueur de la présente Convention, il sera créé une Commission Mixte résidant en Turquie ou en Grèce et composée de quatre membres pour chacune des Hautes Parties contractantes et de trois membres choisis par le Conseil de la Société des Nations parmi les ressortissants des Puissances n'ayant pas participé à la guerre de 1914-1918. La présidence de la Commission sera assumée à

tour de rôle par chacun de ces trois membres neutres.

La Commission Mixte aura le droit de constituer, dans les localités où il lui paraîtra nécessaire, des Sous-Commissions travaillant sous ses ordres, et composée chacune d'un membre turc, d'un membre grec, et d'un Président neutre qui sera désigné par la Commission Mixte. La Commission Mixte déterminera les pouvoirs à déléguer aux Sous-Commissions.

Article 12.

La Commission Mixte aura pour attributions de surveiller et faciliter l'émigration prévue par la présente Convention et de procéder à la liquidation des biens mobiliers et immobiliers et prévue aux articles 9 et 10.

Elle fixera les modalités de l'émigration et celles de la liquidation ci-dessus visée.

D'une façon générale, la Commission Mixte aura tous pouvoirs de prendre les mesures que nécessitera l'exécution de la présente Convention et de décider toutes les questions auxquelles cette Convention pourrait donner lieu.

Les décisions de la Commission Mixte seront prises à la majorité des voix.

Toutes les contestations relatives aux biens, droits et intérêts à liquider seront réglées définitivement par elle.

Article 13.

La Commission Mixte aura tout pouvoir pour faire procéder à l'estimation des biens mobiliers et immobiliers qui doivent être liquidés en vertu de la présente Convention, les intéressés étant entendus ou ayant été dûment convoqués pour être entendus.

La base de l'estimation des biens qui doivent être liquidés, sera la valeur de ces biens en monnaie d'or.

Article 14.

La Commission remettra au propriétaire intéressé une déclaration constatant la somme qui lui est due du chef des biens dont il a été dépossédé, biens qui resteront à la disposition du Gouvernement sur le territoire duquel ils sont situés.

Les montants dus sur la base de ces déclarations constitueront une dette du Gouvernement du pays où la liquidation aura eu lieu envers le Gouvernement dont relève l'émigrant. Celui-ci devra en principe recevoir, dans le pays où il émigre en représentation des sommes qui lui sont dues, des biens d'égale valeur et

de même nature que ceux qu'il aura abandonnés.

Tous les six mois, on établira un compte des sommes dues par les Gouvernements respectifs sur la base des déclarations émises comme ci-dessus.

A la liquidation finale, s'il y a équivalence entre les montants respectivement dus, les comptes y relatifs seront compensés. Si l'un des Gouvernements reste débiteur envers l'autre après compensation, le solde débiteur sera payé au comptant. Si le Gouvernement débiteur demande des délais pour ce paiement la Commission pourra les lui accorder, pourvu que la somme due soit payée au maximum dans trois annuités. La Commission fixera les intérêts à payer pendant ces délais.

Si la somme à payer est assez importante et nécessite des délais plus longs, le Gouvernement débiteur payera au comptant une somme à déterminer par la Commission Mixte jusqu'à concurrence de 20 pour cent du montant dû et émettra pour le solde des titres d'emprunt portant un intérêt à fixer par la Commission Mixte, amortissable dans un délai maximum de 20 ans. Le Gouvernement débiteur affectera au service de cet emprunt des gages agréés par la Commission, gages qui seront gérés et dont les revenus seront encaissés par la Commission Internationale en Grèce et par le Conseil de la Dette Publique à Constantinople. A défaut d'accord sur ces gages, il appartiendra au Conseil de la Société des Nations de fixer ceux-ci.

Article 15.

En vue de faciliter l'émigration, des fonds seront avancés à la Commission Mixte par les Etats intéressés, dans les conditions fixées par ladite Commission.

Article 16.

Les Gouvernements de la Turquie et de la Grèce se mettront d'accord avec la Commission Mixte prévue à l'article 11 sur toutes les questions relatives aux modifications à faire aux personnes devant quitter leurs territoires en vertu de la présente Convention et aux ports sur lesquels ces personnes doivent se diriger pour être transportées à leurs pays de destination.

Les Hautes Parties Contractantes s'engagent mutuellement à ce qu'aucune pression directe ou indirecte ne soit exercée sur les populations qui doivent être échangées pour leur faire quitter

leurs foyers ou se dessaisir de leurs biens avant la date fixée pour leur départ. Elles s'engagent également à ne soumettre les émigrants, ayant quitté ou qui doivent quitter le pays, à aucun impôt ou taxe extraordinaire. Aucune entrave ne sera apportée au libre exercice par les habitants des régions exceptées de l'échange en vertu de l'article 2, de leur droit d'y rester ou d'y rentrer et de jouir librement de leurs libertés et de leurs droits de propriété en Turquie et en Grèce. Cette disposition ne sera pas invoquée comme motif pour empêcher la libre aliénation des biens appartenant aux habitants desdites régions exceptées de l'échange et le départ volontaire de ceux de ces habitants qui désirent quitter la Turquie ou la Grèce.

Article 17

Les frais d'entretien et de fonctionnement de la Commission Mixte et de ses organes seront supportés par les Gouvernements intéressés dans des proportions à déterminer par la Commission

Article 18.

Les Hautes Parties Contractantes s'engagent à apporter à leur législation respective les modifications qui seraient nécessaires pour assurer l'exécution de la présente Convention.

Article 19.

La présente Convention aura même force et valeur, au regard des Hautes Parties ici contractantes, que si elle figurait dans le Traité de Paix qui sera conclu avec la Turquie. Elle entrera en vigueur immédiatement après la ratification dudit Traité par les deux Hautes Parties Contractantes.

En foi de quoi les Plénipotentiaires soussignés, dont les pleins pouvoir ont été respectivement reconnus en bonne et due forme, ont signé la présente Convention.

Fait à Lausanne, le trente janvier mil neuf cent vingt-trois, en triple exemplaire, dont un sera remis au Gouvernement hellénique et un au Gouvernement de la Grande Assemblée Nationale de Turquie et dont le troisième sera déposé aux archives du Gouvernement de la République française, qui en délivrera des copies authentiques aux autres Puis-

sances signataires du Traité de Paix avec la Turquie.

(L.S.) E. K. Veniselos.
(L.S.) D. Caclamanos.
(L.S.) Ismet.
(L.S.) Dr. Riza Nour.
(L.S.) Hassan.

Protocole

Les Plénipotentiaires turcs soussignés, dûment autorisés, déclarent que, sans attendre la mise en vigueur de la Convention conclue avec la Grèce, en date de ce jour, relativement à l'échange des populations grecques et turques, et par dérogation à l'article 17 de cette Convention, le Gouvernement turc, dès la signature du Traité de paix, libérera les hommes valides visés à l'article 4 de ladite Convention et assurera leur départ

Fait en triple exemplaire à Lausanne, le trente janvier mil neuf cent vingt trois.

Ismet
Dr. Riza Nour
Hassan

Document No. IX of Final Act.

Accord entre la Grèce et la Turquie relatif à la Restitution des Otages Civils et à l'Échange des Prisonniers de Guerre.

Signé à Lausanne le 30 janvier 1923.

Les Plénipotentiaires helléniques et turcs soussignés, agissant en vertu de leurs pleins pouvoirs respectivement trouvés en bonne et due forme, sont convenus des dispositions suivantes à l'effet d'assurer la restitution réciproque des internés civils actuellement retenus en Grèce et en Turquie ainsi que l'échange des prisonniers de guerre.

CHAPITRE I

Internés Civils.

Article 1.

Les otages et prisonniers civils turcs détenus par la Grèce seront rapatriés par les soins du Gouvernement hellénique. Celui-ci fera, en principe, transporter à Smyrne les personnes qui sont originaires d'Anatolie, et à Constantinople celles qui sont originaires de la Thrace.

La restitution, constatés à l'embarquement en Grèce, commencera en principe

sept jours après la signature du présent Accord. Elle devra être achevée, savoir :

(*a*) dans un délai n'excédant pas deux semaines, en ce qui concerne les personnes figurant sur les listes fournies par le Gouvernement hellénique ;

(*b*) dans le plus bref délai, en ce qui concerne les personnes qui doivent être recherchées et qui figurent sur les listes fournies par le Gouvernement turc.

Article 2.

Les otages et prisonniers civils hellènes qui seraient détenus par les Turcs seront rassemblés à Smyrne ou à Constantinople par les soins du Gouvernement turc de manière que leur rapatriement puisse avoir lieu, aussitôt après celui des otages civils turcs visés à l'alinéa (*a*) de l'article 1, et de manière que le rapatriement des personnes qui seraient à rechercher, puisse avoir lieu dans le plus bref délai possible.

Article 3.

Les listes de rapatriement, respectivement remises par le Gouvernement hellénique et le Gouvernement turc, seront ultérieurement complétées.

CHAPITRE II

Prisonniers de Guerre

Article 4.

Aussitôt que possible après la date à laquelle le Gouvernement hellénique aura restitué au Gouvernement turc les otages civils turcs visés à l'alinéa (*a*) de l'article 1, et dans un délai ne dépassant pas quinze jours à partir de cette date, la Grèce restituera à la Turquie et transportera à Smyrne, en une seule fois, la totalité des prisonniers de guerre qu'elle détient.

La Turquie restituera ensuite à la Grèce un nombre égal de prisonniers de guerre helléniques, officier pour officier, soldat pour soldat. Ces prisonniers de guerre seront rassemblés par le Gouvernement turc en temps voulu et dans les lieux appropriés, de façon qu'ils puissent être rapatriés par le voyage de retour des navires grecs ayant amené les prisonniers de guerre turcs.

Le reste des prisonniers de guerre helléniques sera rapatrié par les soins de la Turquie dès la signature de la paix et dans un délai de trois semaines après cette signature.

Article 5.

Dans un but d'apaisement, les Gouvernements hellénique et turc conviennent d'étendre respectivement les bienfaits de l'amnistie à tous les prisonniers de guerre et internés civils qu'ils détiennent, aussi bien à ceux qui sont passibles ou frappés de peines pour crimes et délits de droit commun qu'à ceux qui sont passibles ou frappés de peine pour fautes contre la discipline; les deux Gouvernements sont d'accord pour les rapatrier indistinctement sans tenir compte de l'achèvement de la peine ou de la procédure engagée.

CHAPITRE III.

Commission d'Exécution.

Article 6.

Une commission internationale comprenant trois représentants des Sociétés de la Croix Rouge, ressortissants à des Etats n'ayant pas pris part à la guerre de 1914-1918, et un représentant de chacun des Gouvernements hellénique et turc, sera chargée de diriger les opérations concernant la restitution des otages et prisonniers civils ainsi que l'échange des prisonniers de guerre dans les conditions prévues aux chapitres I et II ci-dessus. Cette commission fixera les modalités de ces opérations et en surveillera l'exécution. Elle sera chargée notamment de :

(*a*) recevoir des autorités helléniques et turques, aux points d'embarquement, les otages et prisonniers à rapatrier, à vérifier leur nombre et leur identité, à effectuer la remise de ces otages et prisonniers aux autorités turque et helléniques aux points de débarquement.

(*b*) régler de concert avec les Gouvernements hellénique et turc le transport, à partir des ports d'embarquement, des otages et prisonniers turcs et helléniques à rapatrier. Le Gouvernement hellénique fournira à cet effet les moyens de transport maritime nécessaires.

(*c*) procéder avec la collaboration des Gouvernements et autorités helléniques et turques, à toutes recherches et enquêtes nécessaires pour établir le sort des otages civils et prisonniers de guerre réclamés par l'un ou l'autre Gouvernement et non remis.

Allied Draft Treaty of January 31, 1923

Les Gouvernements intéressés s'engagent à prêter dans ce but tout leur concours à la Commission et à lui donner toutes facilités.

Article 7.

Les frais d'entretien et le fonctionnement de la commission seront par parts égales à la charge des Gouvernements hellénique et turc.

Le présent Accord entrera immédiatement en vigueur.

Fait en triple exemplaire à Lausanne le trente janvier mil neuf cent vingt trois.

(L.S.) E. K. VENISELOS.
(L.S.) D. CACLAMANOS.
(L.S.) ISMET
(L.S.) DR RIZA NOUR
(L.S.) HASSAN.

No. 459.

Mr. Rattigan to the Marquess Curzon of Kedleston.—Received March 15.)

(No. 91.)
(Telegraphic.) R.
MY telegram No. 89. *Athens, March* 14, 1923.

Ministry for Foreign Affairs inform me that Greek Government have ordered resumption of exchange of prisoners.

(Repeated to Constantinople.)

No. 460.

Mr. Kennard to the Marquess Curzon of Kedleston.—(Received March 15.)

(No. 54.)
(Telegraphic.) D.
MY telegram No. 53. *Rome, March* 15, 1923.

Minister for Foreign Affairs informs me that Italian representatives will be Italian Ambassador in London, MM. Montagna, Guariglia and Nogara.

As regards Turkish counter-draft, Signor Mussolini said that there was no alternative but to make peace on best terms possible. As regards Castellorizo, however, Italian Government would be intransigent. He had no strong views as to meeting-place for further negotiations or procedure generally.

No. 461.

The Marquess Curzon of Kedleston to Mr. Phipps (Paris).

No. 122. By Bag
Telegraphic.) *Foreign Office, March* 15, 1923.

MY telegram No. 92 of 9th February: Turkish threat to Mosul.

Have you received a reply yet? If not, please try again, and in doing so make following correction in statement in first paragraph of my telegram No. 48 of 29th January: Road reported under repair is Jeziret-Demir Quapu road between Jerizet and Sufan River.

But Air Ministry are generally anxious to get information regarding Turkish activities in or near the salient Nisibin Jezirat Ibn-Omar.

No. 462.

The Marquess Curzon of Kedleston to His Majesty's Representatives at Paris (No. 125 (by bag)) and Rome (No. 72 (R.)).

(Telegraphic.) *Foreign Office, March* 15, 1923.

YOUR telegram No. 292 of 14th March (your telegrams Nos. 52 and 53 of 14th March): Meeting of Allied experts in London regarding Turkish negotiations.

His Majesty's Government propose that the first meeting of the Allied experts should take place in London on the morning of Wednesday, 21st March, and they assume that French (Italian) Government will have no objection to attendance of Japanese experts, who are being invited. It should be possible to conclude discussions by the beginning of the following week. Allied reply could then be despatched to Ismet with suggestion for the resumption of negotiations with Turkey soon after Easter. Please inform Government to which you are accredited accordingly.

French (Italian) representatives and staffs will be guests of His Majesty's Government. Please telegraph as soon as possible their names and precise time of their arrival in London.

W 2005/1/28] No. 463.

The Marquess Curzon of Kedleston to Mr. Phipps (Paris).

No. 953.)
Sir, *Foreign Office, March* 15, 1923.

THE French Ambassador asked to see me to-day and confined his observations to two subjects, namely, the impending discussion with French and Italian experts on the new terms proposed by the Turkish Government, and the contemplated tripartite conference on Tangier.

As regards the former, I expressed some surprise that M. Poincaré had thought fit to communicate to the French newspapers, before returning any reply to my official invitation, that he proposed to depute M. Bompard and Admiral Lacaze, and I said I had additional reason to complain because he had also communicated to the French press the idea, which was telegraphed to the "Times" this morning, but which was without any foundation, that he was sending his representatives to London in consequence of my illness, and out of consideration for my convenience.

I said that I was almost reduced to despair by the now habitual tactics of the Quai d'Orsay, for which there was really no excuse, and which, in the present case, could only have been devised to suggest that the conversations would naturally have been held in Paris and would only take place in London as an act of courtesy on the part of the French Prime Minister.

The Ambassador had nothing to say, nor was there anything to be said in reply to this protest. To the question when I proposed that the meeting should set to work, I replied "On Wednesday next." The Italians had also accepted our invitation, and I thought it ought to be possible within the time between the 21st March and Easter to complete the work here with a view to starting further conversations at Constantinople with as little delay as possible.

The Ambassador then turned to the question of Tangier, in which he brought me, affected to bring me, the reply of the French Government to the condition that I had laid down as essential to the meeting of the conference, namely, that the three Powers concerned should proceed upon the basis of an International administration for Tangier.

His Excellency informed me that M. Poincaré was quite prepared to receive my views on the matter, to which he would in due course reply. This, I answered, was not at all what I had proposed.

We had had, I thought, enough of correspondence, and the British view had more than once been clearly stated. It might be summed up in a sentence. We desire to start again from the point at which the negotiations had been suspended by the action of Spain in 1914. This was an obligation from which the French Government could not honourably escape, for when we had recognised their protectorate in Morocco, this was part of a bargain in which their acceptance of an International administration at Tangier had played a part, and it was only as a special favour to them, and on the

distinct understanding that the latter promise would be fulfilled, that we had consented to grant independently the recognition of the French protectorate. I was doing, therefore, no more than calling upon the French to fulfil a definite undertaking. Further, when I spoke of an International administration, what I meant was this, that while the Sultan would, no doubt, be represented by a special Khalifa in the Tangier zone, just as he was in the Spanish zone, and just as he himself resided in the French zone, so an effective administration in the Tangier zone would be exercised by the municipality, just as it was by the Spanish in the Spanish, and the French in the French, zones. The manner in which the members of the municipal administration would be elected, the Powers whom they would represent, the functions which they would exercise, and their exact relations with a representative of the Moorish Government, would be matters for discussion at the impending conference, but unless it was clearly understood that the basic position was as I have described, it appeared to me that it was no use having the conference at all.

The Comte de Saint-Aulaire then went on to explain the French conception of the phrase, which appeared to be this: that the international administration at Tangier would be free and uncontrolled in all respects affecting foreigners, but that in matters concerning the native population and native property the Sultan, through his representative, would be supreme.

I expressed considerable doubt as to whether this might not mean an interference with the municipal administration, which would render the powers of the latter quite nugatory, and I was not pacified by the assurance that no more was being asked of the Sultan in Tangier than, as the Ambassador assured me, was already conceded by the French in the French zone in Morocco, for, to put it bluntly, I argued that, as the Sultan was completely in the hands of the French, and had to do exactly what they pleased, we might find that whereas the object of internationalisation was to prevent the ascendency of any particular Power, the interference with the Sultan would, in reality, mean the hegemony of France.

To this the Ambassador replied that matters were changing in Morocco, that the Sultan was no longer the puppet he had been, and that a time would shortly arrive when he would acquire something like independence.

This prognostication, I feared, left me cold; and although the Ambassador, in the course of his conversation, at one moment did say on behalf of his Government that the principle of International administration was accepted by them, I yet felt that the case was left in sufficient obscurity to render a breakdown of the conference more than probable.

To bring matters to a head, I accordingly offered to send to the Ambassador in a communication, official or otherwise, my own definition in a few sentences of what I meant by internationalisation. This he could communicate to M. Poincaré, and upon its acceptance, or rejection, would depend whether the conference could, or could not, be held with advantage.

In leaving the room, the Ambassador asked me whether there was any truth in the rumour which had reached him of an impending agreement, or treaty, of some description, between Great Britain and the Kingdom of Denmark. I replied that this was the first I had heard of it.

I am, &c.
CURZON OF KEDLESTON.

E 2830/1/44] No. 461.

Mr. Phipps to the Marquess Curzon of Kedleston.—(Received March 16.)

(No. 67.)

HIS Majesty's Chargé d'Affaires at Paris presents his compliments to His Majesty's Principal Secretary of State for Foreign Affairs, and has the honour to transmit herewith copy of a note from the French Ministry for Foreign Affairs, dated the 14th March, 1923, stating that M. Bompard and Admiral Lacaze will proceed to London to discuss the Turkish counter-proposals.

Paris, March 15, 1923.

Enclosure in No. 464.

Note by French Ministry for Foreign Affairs respecting Turkish Counter-Proposals.

PAR une note du 11 de ce mois, l'Ambassade britannique a bien voulu faire savoir au Ministre des Affaires étrangères qu'en raison du développement et de l'importance de la réponse à adresser par les Gouvernements alliés aux contre-propositions de la Turquie relatives au projet de traité élaboré à Lausanne; le principal Secrétaire d'Etat de Sa Majesté considérait comme très désirable une réunion très prochaine d'experts britanniques, français et italiens. L'objet de cette réunion serait d'établir un accord en premier lieu sur la réponse à donner à la note du Gouvernement turc et en second lieu sur la conduite à tenir au sujet des négociations avec la Turquie et sur le lieu où elles devaient se poursuivre.

Le principal Secrétaire d'Etat de Sa Majesté proposait en conséquence au Gouvernement français d'envoyer le plus tôt possible à Londres des experts à cet effet en vue d'un examen auquel M. de Saint Aulaire prendrait, sans doute, également part.

Le Président du Conseil, Ministre des Affaires étrangères, a l'honneur de faire savoir à son Excellence le Marquis de Crewe qu'il donne volontiers son adhésion à la proposition de son Excellence Lord Curzon. En ce qui concerne le choix de Londres pour cette réunion préliminaire, il tient à faire observer que toutes les conférences précédentes relatives aux affaires d'Orient ont eu lieu à Paris. Tenant compte, cependant, de la longue absence que la Conférence de Lausanne a déjà imposée à son Excellence Lord Curzon et désireux en raison de son état de santé de lui éviter des fatigues nouvelles, le Président du Conseil, Ministre des Affaires étrangères, consent volontiers à ce que cette réunion préliminaire ait lieu à Londres. M. Bompard a été prié de s'y rendre accompagné des experts nécessaires. Il va de soi que l'Ambassadeur de France à Londres participera à ces conversations.

Paris, le 14 mars 1923.

No. 465.

Mr. Bentinck to the Marquess Curzon of Kedleston.—(Received March 16.)

(No. 92.)

(Telegraphic.) R. *Athens, March 15, 1923.*

CONSTANTINOPLE telegram No. 173, your telegram No. 38 and my telegram No. 91.

Minister for Foreign Affairs informs me that actual resumption of exchange will [group omitted] a few days, as ships must be requisitioned and other necessary arrangements made.

Greek Government are prepared to receive 5,000 refugees from Samsun after disinfection, as American Red Cross will provide for them here. Greek Government hope that American Red Cross will be able to provide for refugees now at Constantinople, to avoid necessity of finding room for them in Greece by removal of equal number of Mussulmans as foreshadowed in last paragraph of my telegram No. 89.

(Repeated to Constantinople.)

No. 466.

Consul Jeddah, to the Marquess Curzon of Kedleston. - (Received March 16.)

(No. 7.)

Telegraphic.) R. *Jeddah, March 15, 1923.*

MY despatch No. 12.

Ex-Sultan proceeded to Taif a fortnight ago with intention of remaining there until pilgrimage, but he is dissatisfied, and he returns to Mecca to-day. Question of his leaving Hedjaz will be probably raised again shortly.

No. 467.

Sir H. Rumbold to the Marquess Curzon of Kedleston.—(Received March 16.)

(No. 175.)
(Telegraphic.) *Constantinople, March 15, 1923.*

(D.) YOUR telegram No. 79.

I am collecting what information I can in order to reply to paragraph 2, but I fear it will be very incomplete, especially as regards concessions promised to other British subjects.

As regards civil list properties in detached territories, all information hitherto available here is contained in correspondence relative to property claimed by heirs of Abdul Hamid, more particularly memorandum prepared by Mr. Ryan in London on 31st July, 1921. Only way to supplement it in present circumstances would be to apply officially to Turkish Government.

It would in my opinion be unwise to do this until question arises in course of negotiations, even if by asking for information now we were likely to obtain satisfactory or trustworthy reply.

As I understand it, properties ceded by Abdul Hamid and his successor to Turkish State were duly registered as State property in Irak, and presumably also in Palestine, and were administered by Government on behalf of special name of Emlak-i-Mudevvere as long as Turks remained in possession. It would be well to obtain definite confirmation of this from local Governments, and also to ask them what, if any, other properties were registered in name of civil list when we occupied territories in question.

List of properties in Irak which is in possession of Colonial Office and which Mr. Weakley examined in January 1922 is also very important.

Turks have admitted in their counter-proposals that State property in detached territories passes without compensation to the Government now responsible for them. Our line should therefore, I think, be to establish principle that this applies to all property registered in name of State at the date of armistice, thus including Emlak-i-Mudevvere. We should then have to discuss much narrower question of any properties still registered in name of civil list at that date, and if they prove to be small in amount we might [illegible] that [illegible].

Oil concessions may prove to be in intermediate position between two categories mentioned in preceding paragraph, as they were undoubtedly transferred from civil list to State, but there is no evidence that this transfer was regularly registered in departments concerned (see my despatches Nos. 648 and 658 of last year). It might therefore be necessary to provide for their transfer without compensation to present Government of Irak by modified wording of article 65 or by specific mention of them.

No. 468.

Sir H. Rumbold to the Marquess Curzon of Kedleston.—(Received March 16.

No. [illegible]
(Telegraphic.) R. *Constantinople, March 15, 1923.*

MY telegram No. 158.

I overlooked fact that Turks offer to substitute for article 24 declaration which might with some modification be accepted.

No. 469.

Sir H. Rumbold to the Marquess Curzon of Kedleston.—(Received March 16.)

(No. 178.)
(Telegraphic.) *Constantinople, March 16, 1923.*

PLEASE see General Harington's telegram No. 755 of [illegible] to War Office.

[illegible] tallies with paragraph 1 of Athens despatch No. 133 to War Office, [illegible]

Whilst, in my opinion, there is little doubt that presence of a well-equipped Greek army in Western Thrace has contributed to make Turkish Government anxious to conclude peace with as little delay as possible, any forward movement of that army is to be strongly deprecated in present circumstances. The danger will anyhow come if, and when, Turks press their indemnity claims on Greece.

Sent to Athens, No. 31.

E 2773/1/44] No. 470.

The Marquess Curzon of Kedleston to Count de Saint-Aulaire.

Your Excellency, *Foreign Office, March 16, 1923.*

ON the 8th March you enquired my views as to the proposal made by M. Poincaré, that the Allied Governments should permit the various Allied companies and persons who hold concessions in Constantinople and Turkey generally to enter into private negotiations with the Turkish Government with a view to conclude separate arrangements as to the ratification or extension of their existing rights. M. Poincaré apparently had in mind not only those concessions which have been confirmed or extended by the Constantinople Government since the armistice of 1918, but also all those pre-war concessions and agreements which were dealt with in articles 80 and 94 of the draft Treaty of Peace presented to the Turks on the 31st January at Lausanne. M. Poincaré's proposal apparently was that the treaty should not be signed until these negotiations had taken place. If they failed, something like the present economic clauses would re-appear in the treaty. If they succeeded, the Powers would merely take act of the results of such private negotiations in some separate instrument attached to the treaty.

2. I have been in consultation with His Majesty's High Commissioner at Constantinople and with the Departments of His Majesty's Government concerned regarding these proposals, and their views coincide with those which I tentatively expressed to you, namely, that the uncertainty and delay which such a procedure might involve would be prejudicial to the chances of peace. His Majesty's Government would have less objection to private negotiations on the part only of those concessionnaires who have made arrangements with the Constantinople Government since the armistice, to be confined strictly to the arrangements in question, and to be conducted concurrently with the general resumption of negotiations for a treaty of peace. Such arrangements were dealt with in the ante-penultimate paragraph of article 94 and in article 70 of the draft Treaty of Peace with Turkey. Even such negotiations might involve delays and be misinterpreted by the Turkish Government and generally speaking His Majesty's Government would prefer that a further attempt should be made in the resumed negotiations to discuss again all the economic clauses, and, if necessary, by certain concessions and amendments to arrive at an agreement with the Turkish Government which could be embodied in the form of clauses in the treaty. Alternatively and in the last resort, only those clauses on which agreement can easily be arrived at might be inserted in the treaty, and the other clauses covered by some general statement of principles to be inserted in the treaty in the form of one or two articles, on the basis of which detailed negotiations could be carried out later between the Turkish Government and each Allied Government.

3. His Majesty's Government would, in any case, suggest that the merits of M. Poincaré's proposal and of the alternative suggestions sketched above, which His Majesty's Government prefer, should be discussed in detail at the meeting of experts which His Majesty's Government hope will take place in London next week. Meanwhile, His Majesty's Government assume that no action will be taken on M. Poincaré's suggestion as to permitting private concessionnaires to open negotiations with the Angora Government.

I have, &c.
CURZON OF KEDLESTON

No. 471.

Mr. Bentinck to the Marquess Curzon of Kedleston.—(Received March 17.)

(No. 94.)
(Telegraphic.)

Athens, March 16, 1923.

YOUR telegram No. 150 Belgrade.

In my despatch No 196 already on the way I forwarded texts of Serbian draft convention and Greek counter-draft.

Point of difference between them is small, and Serbian Minister favours acceptance, but he told me to-day that he was still awaiting views of his Government.

I know of no intimation of nature reported in your telegram, but see paragraph 3 of my despatch No. 164, paragraph 2 of my telegram No. 78 and paragraph 7 of my despatch No. 178.

(Repeated to Constantinople and Belgrade.)

No. 472.

Sir A. Young to the Marquess Curzon of Kedleston.—(Received March 17.)

(No. 41.)
(Telegraphic.)

Belgrade, March 17, 1923.

YOUR telegram No 31 and Athens telegrams Nos. 78 and 91.

Impressions I have gained are the following:

Attitude of Serbian Government towards any Greek overtures has been consistently reserved so as to avoid giving Greece the slightest encouragement to prefer war to peace. Serbia countenanced no action except such as was taken in concert with Great Powers. As regards guarantee against Bulgaria, Serbia avoids going any further than to point to her efficient and well-trained standing army and to declare that she would tolerate no infraction of Treaty of Neuilly.

Serbia is not pleased with the attitude of Greeks towards Salonica question, but does not allow this question to embitter attitude towards Near Eastern crisis.

Serbia will not sign treaty which imposes on her objectionable obligations respecting Ottoman debts, and if necessity arises will seek in due course to conclude separate treaty with Turkey. In the meanwhile, I think it highly improbable that Serbs would conduct secret negotiations detrimental to those of Great Powers so long as the latter remain in agreement. I have at present no information in regard to this point complementary to that contained in my despatch No. 70.

Repeated to Athens.)

E 2934 / 44

No. 473

Memorandum respecting Refugee Situation at Constantinople.

THERE are at present in Constantinople and the neighbourhood some 30,000 Greek refugees from Asia Minor, particularly the Pontus, the great majority of whom are old men, women and children. Whether they have been actually expelled by the Turks or have fled in fear or under threats is immaterial. The fact remains that they have lost their husbands and fathers, their homes and their belongings, and that they have suffered, and are suffering, acutely from the Turkish policy of extermination of foreigners. Their sufferings, privations and the separation from their menfolk have affected them physically and morally, and rendered them especially susceptible to the epidemics of typhus, typhoid and small-pox that are raging among them.

They are distributed in various buildings and ruins in Constantinople and its suburbs, along the Bosphorus and in the Princes Islands, the largest concentration being in the Selimie Barracks at Haidar Pasha on the Asiatic coast. On the 8th March there were 1,022 refugees in Constantinople itself, 2,500 in San Stefano, 327 at Makeui, 1,614 in Yenikeui, 1,800 at Prinkipo in the theological seminary and in monasteries, and many more at Haidar Pasha and elsewhere, as well as 1,820 refugees on board two ships in the Bosphorus.

General Harington's main occupation on the 9th March was to prevent more refugees from arriving from Pontus, and this has now been effected, the Turks having deferred to Allied protests against the continuance of the process of

evacuation from the Black Sea coast. He seemed confident of being able to protect his troops in the dangerous situation created by these epidemics among the refugees in the Constantinople district. His medical officers are doing everything possible to render assistance, and, according to the press, the American Near East Relief and Greek Patriarchate Commission are also helping. We have, however, no details as to how far the Allied or Turkish authorities will be able to segregate the new arrivals, or whether it is proposed to concentrate them on Gallipoli or elsewhere. General Harington has said in one of his telegrams that only an efficient civil administration can cope with the problem.

The destination of the refugees has still to be settled. The Greek Government have expressed their readiness to accept 2,000 to 3,000 who can afford to pay their own passage to Greece, as well as 5,000 still at Samsun, but state that they can only absorb a larger number by adopting a policy of reprisal and anticipating the agreement for the exchange of populations by expelling Moslems from Greece.

Moreover, no means of forwarding the refugees to their destination have yet been devised. The Greek Government have undertaken to provide shipping for the ultimate exchange of populations, and the Allied High Commissioners have suggested that this shipping might be used for transporting other refugees from Samsun; it appears possible that it might equally be used for the refugees now at Constantinople could they be accommodated in Greece, which does not appear to be the case at present.

The immediate necessity is segregation, disinfection, inoculation and medical attendance in general, and for this there are neither adequate funds nor organisation, although a telegram to the "Times," dated the 14th March, stated that over 20,000 refugees had been vaccinated during the last few days. The Ministry of Health have, with Treasury sanction, sent out to Constantinople within the last week 50,000 tubes of smallpox lymph; apart from this the Treasury have expressed the view that His Majesty's Government have already done more than their share for the refugees in the Near East.

The efforts made by various foreign charitable and philanthropic societies to cope with the problem at Constantinople do not at present amount to much, since they have concentrated on the larger and equally serious problem in Greece. The American Near East Relief have not yet done a great deal, but it is believed that they intend to take some action soon, and there is a possibility that the American Red Cross may devote itself to the Constantinople refugee problem. The "Save the Children" Fund have no money available at present for the purpose, but are holding a meeting on the subject on the 20th March, and it is possible that they may then be able to do something. The British Red Cross Society have no information about these refugees and have no representative at Constantinople, but Mr. Childs of the League of Nations is arriving in London to-day from Constantinople and will be able to furnish information. The League of Nations Epidemics Commission has no money left. The Imperial War Relief may be able to send out a few hundred pounds. A sum of £500 has been sent from Geneva to Constantinople to establish a disinfecting station there in the name of the International Red Cross, to be organised by a French Captain Burnier. Captain Burnier asked for £1,000, but so far has only got these £500. The Greek authorities at Constantinople are doing all they can, but their resources are utterly inadequate.

It therefore appears that there are practically no funds available to meet the cost of sanitary or general relief measures, and Mr. Henderson, who arrived from Constantinople on the 15th March, emphasises the fact that money is the main need of the moment. If funds can be raised the organisation of relief measures might perhaps be undertaken by the League of Nations, the American organisations, the Greek Red Cross and the Allied military medical authorities. This organisation should first undertake concentration, then disinfection, and, lastly, despatch to Greece. Sir Horace Rumbold has recently telegraphed an appeal to the British Red Cross for £3,000, and the appeal has received the endorsement of the Secretary of State for Foreign Affairs.

A telegram from General Harington to the War Office, received to-day, shows that in view of the excellent medical assistance at his disposal he has no fear as regards the condition of the British troops.

C. of K.

March 17, 1923.

No. 474.

Sir H. Rumbold to the Marquess Curzon of Kedleston.—(Received March 18.)

(No. 183.)
(Telegraphic.)
MY telegram No. 180. *Constantinople, March 18, 1923.*

General Officer Commanding has now authorised, on certain conditions, return of officers' wives to Constantinople. I consider, therefore, that visa for Constantinople may now be granted to such wives and families of British civilians as apply for it. They should, however, be informed that they return at their own risk and will have to be prepared to make their own arrangements to leave Constantinople should need arise.

I am still of opinion that visa should be granted only to persons of either sex having serious business or family reasons for journey.

[E 2956/4/44]

No. 475.

Mr. Bentinck to the Marquess Curzon of Kedleston.—(Received March 19.)

(No. 173.)
My Lord, *Athens, March 8, 1923.*

THE chief event of importance to report during the past fortnight has been the decision of the Greek Government to suspend the exchange of prisoners of war and hostages which was being carried out under the auspices of the International Red Cross in accordance with the terms of the convention signed at Lausanne between Greece and Turkey on the 30th January last.

2. A representative of the International Red Cross called upon me on the 1st instant to tell me of this decision, and to ask my advice in the matter. He then called upon my French and Italian colleagues, and we met together subsequently to discuss the question. Meanwhile we had also received a protest from the Turkish delegate on the commission for effecting the exchange, transmitted through the Netherlands Legation here. My colleagues and I decided that there was nothing more for us to do in the matter beyond informing our respective Governments. The International Red Cross naturally endeavoured to persuade the Greek Government to reconsider their decision, explaining that the other convention signed at Lausanne on the same date for the exchange of populations, which, according to the Greeks, the Turks had violated, was not to come into force until after the signature of peace, and it was therefore no present concern of the International Red Cross. I have the honour to transmit herewith a copy of a protest since received from that body.

3. The reason for this sudden decision on the part of the Greek Government was, they explained, that the Turks continued to expel the Christian minorities from the Pontus region, in violation of the agreement of Lausanne, and that, as the convention which they were about to carry out was greatly in favour of the Turks its suspension constituted a measure of reprisal in the hands of the Greeks. I understood from the delegate of the International Red Cross that by this arrangement over 4,000 Turkish civilian prisoners were to be exchanged, in the first instance, against about 200 Greeks. After that a figure amounting to roughly 10,000 Turkish prisoners of war would be exchanged for an equal number of Greek prisoners of war, whereas the Turks actually had about 50,000 Greek prisoners in their hands. The remaining 40,000 would only be exchanged after the conclusion of peace. It is argued, however, in the Greek press, that, whilst the Turkish prisoners are treated by the Greeks with the utmost consideration (and this, I may mention incidentally, has been confirmed by the Netherlands Legation), the Greek prisoners do not receive such good treatment at the hands of the Turks, and it is therefore to Greece's interest to obtain their release as soon as possible.

4. The Greek Government announce that the suspension of the departure of the Turkish hostages and prisoners in their hands will continue until the Turkish Government give formal assurances and guarantees that they will respect the agreement of Lausanne, and that the Greeks still in Turkey will be unmolested until the time comes for the exchange of populations.

5. The Minister for Foreign Affairs has pointed out to the press that, upon humanitarian grounds, the Greek Government have refrained from making use of reprisals in deporting the Turks in Macedonia in the same way as the Greeks were expelled from Asia Minor. The Greek Government have merely suspended the operation of the exchange of prisoners, which will, his Excellency states, be resumed as soon as the assurances required are given. Meanwhile Turkish prisoners will continue to receive the same good treatment as in the past. M. Alexandris has pointed out on the other hand that the Greeks are expelled from Pontus without being permitted to take anything with them or to dispose of their goods in Turkey, which, again, is contrary to the stipulations of the convention. Greece, as the newspapers truly observe, cannot accept any more refugees or they will starve.

6. Meanwhile the attitude of Angora towards the Lausanne decisions continues to occupy the minds of everybody here, and the prolongation of the present state of suspense causes the gravest anxiety. Colonel Plastiras and Captain Hadjikyriakos left for Salonica on the 6th instant, as reported in my telegram No. 78 of the 7th instant, in order to take part in a conference with General Pangalos and the three army corps commanders in view of the apparent certainty of the prolongation of the present conditions and of the effect which it is likely to exercise upon the *moral* of the army. In this connection I am again assured from an independent source that there is no intention on the part of the Greek Government of moving, unless in concert with His Majesty's Government. It is reported, however (but this I am unable to confirm), that General Pangalos is extremely dissatisfied with this decision of the Government, which has been the cause of friction between him and Colonel Plastiras.

7. I am informed confidentially from an unofficial, but I think reliable, source that the Greek Government recently sounded the Serbian, Croat and Slovene Government as to the attitude which the latter would adopt in the event of the outbreak of hostilities, and an offer is reported to have been made to Serbia of territorial concessions, including Florina, and certain advantages in connection with Salonica, if she would guarantee to hold Bulgaria in check, but that this the Serbian, Croat and Slovene Government refused to do.

8. It is reported in the press that anti-aircraft guns have been placed in various strategic points around Athens as a measure of protection in the event of hostilities, to beat off an air-raid on the part of the Turks. The fleet has also been moved from Keratsini Bay, off Salamis, to the Bay of Phaleron. These two events appear to have been the cause of reports of the wildest and most alarming nature. I do not propose to trouble your Lordship with details of the various canards concerning "gunpowder, treason and plots" in circulation, but I merely mention their existence as evidence of the revival of a general state of nervousness which I had thought that the recent amnesty would have succeeded in dispelling.

9. I am forwarding a copy of this despatch to His Majesty's High Commissioner at Constantinople.

I have, &c.
C. H. BENTINCK.

Enclosure in No. 475.

International Red Cross to Mr. Bentinck.

Excellence, *Athènes, le 5 mars 1923.*

LA Commission internationale pour l'Echange des Prisonniers grecs et turcs n'a pu avoir une séance que le 3 mars, deux de ses membres étant à Milos.

Elle a l'honneur de vous communiquer ci-dessous la décision qu'elle vient de prendre :

"La décision que le Gouvernement hellénique a prise le 28 février écoulé d'interrompre les opérations de la Commission internationale pour l'Echange des Prisonniers et les embarquements commencés, a mis cette commission dans l'impossibilité de remplir la mission humanitaire dont, dans un but d'apaisement, la Conférence de Lausanne et le Comité international de la Croix Rouge l'avaient chargée.

"Toute considération d'ordre pratique lui étant interdite, il lui est défendu de mêler la question de l'échange des prisonniers avec celle de l'échange des populations.

"Dans cet ordre d'idées, la commission se voit obligée de protester contre la suspension de ses opérations par le Gouvernement hellenique.

"La commission exprime le vœu ardent que les circonstances lui permettent de reprendre et de mener à bonne fin l'execution de sa tâche dans un délai aussi bref que possible."

Veuillez, &c.
WILDEBOK.

E 2959/6/44 No. 476.

Mr. Bentinck to the Marquess Curzon of Kedleston.—(Received March 19.)

(No. [illegible])
My Lord, *Athens, March 10, 1923.*

I HAVE the honour to report that, according to statements circulated in the press yesterday, amongst the demands which the Angora Government are now making in the Powers is one for payment of an indemnity by Greece for damages caused in Asia Minor during the retreat. This has naturally caused a certain amount of anxiety in the press, and has placed the hopes of being able to conclude an early peace farther off than ever. "Patris," the organ of the Revolutionary Government, says that the question of payment of an indemnity opens between Greece and Turkey an impassable barrier. As M. Venizelos stated at Lausanne, continued "Patris," if an indemnity had to be paid, it was Turkey who should pay. The destruction which Turkey had caused to the Greek race through persecutions since 1914, added to the recent destructions of Greek property in Asia Minor and Thrace, and to the expenses thrown upon the State by supporting half a million refugees since 1914, could not be compared to whatever damage the Greek army might have done in its retreat. "It is impossible," adds "Patris," "for Greece to pay an indemnity, and she will not pay a penny. Having undertaken the war as the mandatory of the Allies, the loss of Smyrna and Thrace constitutes the greatest sacrifice which could be demanded of her. The destruction of Greek property and the support of the refugees constitute sacrifices to the like of which no vanquished State has, as yet, had to submit. They cannot demand of her anything more, and she will not give anything more, even if she were to agree to do so. Rather than find herself obliged to oppose a Turkish army crossing the Maritza to oblige her to pay an indemnity, Greece would consider it preferable at once to take steps to counter this danger. Such is the decision of the Greek people, of which the Revolution is the mandatory." In another article "Patris" states that Greece's decision is unalterable. "She will not pay an indemnity in any circumstances, and in this she has the support of England."

2. "Politeia" writes that, if Turkey persists in making impossible demands, Greece will be obliged to support her refusal "by the only argument which the Turks understand," and the rest of the press takes a similar line. Colonel Plastiras, whose visit to Salonica I reported in my despatch No. 478 of the 8th instant, returned last night and made a statement to the press that Greece would in no case pay an indemnity to Turkey.

3. Warlike rumours have of course revived, and the Prime Minister, Colonel Gonatas, has been obliged to request the press to deny the rumours of bellicose intentions on the part of Greece. He has added that a resumption of hostilities did not appear probable, seeing that the reply from Angora opened up a further field for negotiations.

4. Meanwhile, the upkeep of the army at the front is costing Greece 200 million drachmas a month, and the Minister of Finance's desperate efforts to raise money in the country by every conceivable means is not only causing general dissatisfaction, but in the present unsettled state of affairs it would seem like throwing good money into a bottomless pit. Government circles are, I am told, disappointed at the way Greece has been let down by England, but hatred of France—and of course Italy—naturally far outweighs this disappointment. It is said that, if Greece were to advance and be successful England would be the first to congratulate and applaud her. On the other hand, if she were to be defeated, England again would charge her with folly. The rumour is circulating amongst my colleagues that Greece again wished to come to a direct understanding with Turkey, but that England had prevented this. On my Czechoslovakian colleague mentioning this to me, I said I knew nothing about it, but that it seemed to me personally that Greece's only chance in negotiating a satisfactory

treaty was in conjunction with us, and that she would be hardly likely to obtain better terms independently.

5. I am forwarding a copy of this despatch to His Majesty's High Commissioner at Constantinople.

I have, &c.
F. H. BENTINCK.

E 2917/2917/44] No. 477.

Sir H. Rumbold to the Marquess Curzon of Kedleston.—(Received March 19.)

(No. 156.)
My Lord, *Constantinople, March 12, 1923.*

I HAVE the honour to forward to you herewith the annual report on the Heads of Missions at Constantinople.

2. I have rewritten this report.

I have, &c.,
HORACE RUMBOLD.
High Commissioner.

Enclosure in No. 477.

Annual Report on Heads of Missions at Constantinople.

HIGH COMMISSIONERS.

France.

General Pellé is a hardworking man with a clear head. He did not take long to grasp the position here, and I have always been struck with the business-like way in which he presides at the High Commissioners' meetings when these are held at the French Embassy. He has always shown himself conciliatory at these meetings, and when any question of a particularly controversial nature is likely to arise he has discussed the question with me beforehand in order to avoid controversy at the meeting itself. He has only once, to my knowledge, forwarded an inaccurate report to his Government, and this was in connection with a special meeting held by the three High Commissioners on the occasion of the so-called plot in the summer of 1921 against the army of occupation.

When he first came here, General Pellé had the services of M. de Chambrun, a remarkably intelligent career diplomatist, who was agreeable, plausible and rather untrustworthy. M. de Chambrun was transferred to Washington last year and left his chief very under-staffed, with the result that the latter was swamped with detail and had the appearance of being overworked. M. de Chambrun was in due course succeeded by M. Jessé Curely, who, however, is not much of a prop to General Pellé.

General Pellé's position is anything but an easy one. Being an outsider in the career he is inclined to be diffident in deciding on a course of action. He has confessed to me that he finds M. Poincaré a difficult master to serve, and he was much put out by the despatch of M. Franklin-Bouillon to this part of the world in connection with the acute crisis last autumn. General Pellé felt that he had been placed in a false position. The foregoing considerations may perhaps account for his somewhat timid and vacillating attitude at a moment when it was important that the Allies should show an united and bold front here. I think that General Pellé likewise keenly felt not having been appointed one of the plenipotentiaries to the Lausanne Conference. The fact that he was not chosen as one of the plenipotentiaries is often attributed to the intrigues of M. Franklin-Bouillon, though the French Government may have honestly believed it better to keep their High Commissioner at his post whilst the conference was sitting.

General Pellé is married to a Czechoslovak lady whose appearance is very Teutonic. This has given a certain amount of unreasonable umbrage to the French colony at Constantinople.

Italy.

The Marquis Garroni was Ambassador at Constantinople for some years before the war. This fact gives him a certain standing both with the Turks and with the

European community He is a man of nearly 70 years of age, and he is a political "boss" in his own country. He was Prefect of Genoa for fifteen years, and, I think, was created a marquis by his friend Signor Giolitti. He is a Senator. The Marquis Garroni informed me on one occasion that the Italian Ambassadors at Berlin and Washington were his political friends, and that he had, in fact, brought about their appointments. He added that none of the three would, he thought, remain long in the Diplomatic Service, as they had too many interests in Italy.

The Marquis Garroni, under an appearance of benevolence, conceals a remarkably astute mind. At High Commissioners' conferences he sometimes appears to be half asleep, but is, in reality, following the proceedings very carefully, and is very much alive to any question affecting Italian interests. He is often very stubborn and difficult to convince, and my French colleague and I have to be careful not to be rushed by him into decisions by which he hopes Italian interests may benefit.

My Italian colleague has the love of a "combinazione," to which his countrymen are so partial, and is very ingenious in discovering reasons, which he would like to consider sound, for receding from a position which he has taken up. He has only once, to my knowledge, shown real indignation at Turkish demands. This was when, last autumn, the Nationalist representative suggested the withdrawal of the Allied armies of occupation as well as the Allied warships. On that occasion his voice trembled with rage, and he made no difficulty about supporting the proposal for the application of a stricter form of martial law. His courage soon evaporated, and three or four days afterwards he was appalled at the possible consequences of the application of a measure to which he had consented with such alacrity. The Marquis Garroni does not understand the meaning of the phrase "last word." His attitude during the time of the crisis last autumn was thoroughly pusillanimous, and he seemed ready to swallow any humiliation rather than make a firm stand against the Turks.

Marquis Garroni is a widower, and his daughter-in-law keeps house for him. She is ambitious, and has wheedled her father-in-law into endeavouring to procure for her the position of Ambassadress by giving her precedence over wives of Ministers. His son is not a credit to him. He is known to have participated in gun-running ventures for the Nationalists. The Marquis Garroni caused a certain amount of irritation combined with amusement at the Lausanne Conference owing to his attempts at blackmail, which he subsequently said were instigated by Signor Mussolini, and to his personal appearance, to which caricaturists did full justice. As the relations between him and his counsellor, Signor Arlotta, are not of the most cordial description, Marquis Garroni keenly resented the caricature depicting himself in a perambulator being pushed along by his counsellor in the

1923

Japan.

Mr. Uchida came here in the spring of 1921. He had been Minister at Stockholm during the war. He lost no time in trying to play a part, and having little to do rushed into intercourse with the Turks without in the least understanding Turkish mentality. It was soon clear that he imagined that his rôle might be that of intermediary between the Nationalists, and even the Turkish Government, and this Embassy, to the advantage of both. His efforts in this direction were embarrassing, and I have done my best to discountenance them.

Mr. Uchida has also made somewhat indiscreet attempts from time to time to obtain previous communication of the agenda of the High Commissioners' meetings in order, as he said, to see for himself whether the High Commissioners were going to discuss any questions affecting Japanese interests. My Allied colleagues and I have, however, formally declined to give way on this point. Mr. Uchida, whether from inclination or from policy, wishes to shine in local society. He takes dancing lessons, and recently created a bad impression by appearing at a fancy dress ball on New Year's Eve in the uniform of a Japanese officer. Mr. Uchida is certainly not a clever man, and, whilst agreeable enough personally, and perhaps well-meaning, is anything but a high-class Japanese.

Mr. Uchida has recently been given the personal rank of Ambassador, and he took care that this promotion should be known to all and sundry. He might find his promotion somewhat awkward in the event of the future capital of Turkey being in Asia Minor, which would presumably mean a reduction in the status of foreign missions here.

United States of America.

I think it a pity that the American Government have not long ago sent out a career diplomatist to take charge of the United States High Commission. I cannot bring myself altogether to trust Admiral Bristol.

Admiral Bristol and his wife entertain a great deal in a simple way. They are both devoted to dancing, and, I am told, are frequently to be seen at Maxim's and other similar places in this town.

Greece.

M. Votsis was succeeded in the course of last year by M. Simopoulos, a career diplomatist, married to an English lady. M. Simopoulos had a very difficult and trying time all through the summer and autumn, and seemed, on occasion, to think he was in some personal danger. He was an almost daily visitor to this High Commission. I helped him to the best of my ability whenever it was possible. Towards the end of the year the Nationalist Government demanded the suppression of the Greek High Commission, which it considered an anomaly, and it was eventually arranged that the Spanish Legation should take charge of Hellenic interests.

The Vatican.

Mgr. Dolci, the Apostolic delegate, was called to Rome last summer, and has since remained absent on leave. His absence is attributed to the illness of a brother, but he appears to wish, for personal or official reasons, to remain away from Constantinople, and he is not expected to return. His appointment to various important Nunciatures has been rumoured at frequent intervals, but no official announcement has been made. The latest report is that he is to go to Brussels. His place has been taken by his vicar, Mgr. Cesarano, a young and energetic prelate of no great presence, but great amiability. He suffices for the routine work, but plays no political rôle. Mgr. Marmaggi, Nuncio at Bucharest, was sent here for two months at the end of 1922 on a sort of special mission.

Persia.

Prince Isaac Khan Mofakkam-ed-Dowleh. Isaac Khan was appointed Persian Ambassador in Constantinople last year. I have seen very little of him, as he usually remains in the seclusion of his Embassy at Stamboul, though he sometimes appears at diplomatic gatherings in Pera. He is an elderly gentleman of distinguished appearance and pleasant manners. He has had a long career in the diplomatic service and was Ambassador in Rome before coming here. The main object of his appointment seems to have been to put an end to the scandals in the Persian Embassy and colony, which for a couple of years had brought the former into general contempt. In this object he has succeeded. He was not a little embarrassed in the latter part of last year by the antics in Angora of Mumtaz-ud-Dowlah, who was sent there apparently without his knowledge. He himself maintained an attitude of tactful reserve as regards the rival Turkish Governments. He plays no overt political rôle, but has more than once sought to interest me indirectly in schemes for promoting Anglo-Persian friendship, especially at a time when he hoped that a seat at the Turkish Peace Conference might be secured for Persia. Now that the Angora Government have sent an Ambassador to Tehran, Isaac Khan is apparently about to be formally accredited to that Government, and he has spoken to members of my staff of the dismay with which he contemplates the probable necessity of paying a short visit to the very uncomfortable new capital of Turkey.

Legations.

Denmark.

M. Wandel plays no part whatever, and is only seen at big parties. He recently married a Levantine lady.

Netherlands.

Baron Rengers came here from Rome. He is a remarkably young-looking man and an agreeable colleague. At a post like this, where there are so few diplomatists *de carrière*, it is pleasant to be able to discuss matters with a man like Baron Rengers. I understand that Baron Rengers finds his social duties somewhat strenuous.

Spain.

The Spanish Minister, M. Servert y Vest, is the doyen of the Ministers. He has spent most of his career in South America, and finds this climate somewhat trying. Owing to the difficulty of finding suitable accommodation in Constantinople itself, he lives rather an isolated life at Buyuk Dere, where he spends the whole year. He is a quiet man of literary tastes.

Sweden.

M. Wallenberg realised on his arrival that he was under suspicion of having been very pro-German during the war. The fact that he is in charge of German interests here made it more difficult for him to get rid of this suspicion, but he works hard to dispel the legend that he is Germanophile. After the conclusion of the prisoners' exchange agreement with the Angora Government some of the returned Turks did not hesitate to state in the Nationalist press that they had been badly treated at Malta and had suffered indignities there. M. Wallenberg procured a report from the Swedish consul at Malta on the treatment of the Turks. This report was very favourable to the British authorities, and M. Wallenberg lost no time in communicating it to the Turkish Government.

M. Wallenberg goes in greatly for Turkish society and Turks are always to be found at his evening parties. In fact, he rather forces Turks on the notice of his Allied colleagues.

Mme. Wallenberg is a good-natured lady who pours forth an unending stream of talk in a somewhat strident voice, which makes her a trying neighbour at dinner.

Delegates.

Belgium.

M. Michotte de Welle was Belgian Minister at Belgrade when the war broke out. His personal effects there were plundered, whilst his property in Belgium was likewise stripped, and his wife lost her family possessions in France. These misfortunes have saddened him, and, to use his own expression, made him very nervous. He lives at a fine Legation, which, until recently, was sparely furnished. He has now commenced to receive. He states that he has a considerable amount of work to do, presumably in connection with the electric light and tramway companies, which are Belgian concerns. He is very bitter about the Italian High Commissioner for insisting that his daughter-in-law should take precedence of Mme. Michotte de Welle.

Czechoslovakia.

The Czechoslovakian delegate is a M. Svetlik, married to an English lady. They are quiet people and not much seen about. M. Svetlik strikes me as an intelligent man.

Poland.

M. Baranowski is the Polish delegate. He was employed on propaganda work in Switzerland during a part of the war, and was afterwards at the Ministry for Foreign Affairs at Warsaw. He has quite a number of Polish subjects in and around Constantinople, including the Polish farming colony situated in Anatolia, several miles from the entrance of the Black Sea. He gives receptions, which are very dull affairs, and is evidently keen on playing a part socially.

Roumania.

M. Filaliti is the Roumanian delegate. I have seen little of him since I came here because he has been absent at Warsaw negotiating with the Bolshevik representative. He is presumably a man of some ability, or else his Government would not have selected him for that purpose.

Jugoslavia.

M. Chaponitch was succeeded by M. Gitkovitch in the course of last summer. M. Gitkovitch is not very attractive and has a thirst for information which he seeks to slake at inappropriate moments. He does not strike me as being very reliable.

[E 2918/199/44] No. 478.

Sir H. Rumbold to the Marquess Curzon of Kedleston.—(*Received March 19.*)

(No. 158.) *Constantinople, March 12, 1923.*

My Lord,

THE approach of what everybody hopes may be peace with Turkey has raised the question of the future capital of this country. This is a matter which the Grand National Assembly will have to face at no distant date, and it is one of great importance to the Turks. Articles are beginning to appear in the press on the subject, and I have derived the impression that the Turks intend to fix their political capital somewhere in Asia Minor, whilst reserving Constantinople as the seat of the Caliphate.

2. The correspondent of the "Tanin," who had tried to obtain information at Angora on the subject, reports that the Nationalists have no intention of making Constantinople the seat of government. But having regard to the geographical situation of Constantinople and to its considerable Mussulman population, the Turks intend to maintain their former capital as a Turkish town of the first importance. Certain measures are being worked out to safeguard the real estate of Mussulmans who have had to sell their property in consequence of the straits to which they were put by the duration of the armistice. The Nationalist Government means to preserve the economic and commercial position of Constantinople, and to use this town as a solid connecting link between Turkish territories in Anatolia and those in Europe.

I have, &c.

HORACE RUMBOLD,
High Commissioner.

[E 2920/1/44] No. 479.

Sir H. Rumbold to the Marquess Curzon of Kedleston.—(*Received March 19.*)

(No. 160.) *Constantinople, March 13, 1923.*

My Lord,

IN my despatch No. 147 of the 7th March, in which I attempted to construct from very meagre material a picture of the political situation at Angora, I expressed certain misgivings as to the outcome of the deliberations of the Grand National Assembly on the draft Peace Treaty, due mainly to the fact that Mustafa Kemal Pasha had not yet shown his hand. My fears lest the extremists should win the day in the Assembly were fortunately falsified by the result announced late on the evening of the 7th March. Mustafa Kemal took part in the final debate, and there can be little doubt that he backed the Government proposals with all his weight, thereby producing a collapse of the opposition, which had been so vociferous up to eve of the final decision. I deduce from this that Mustafa Kemal has made up his mind that peace is necessary, and intends, if it is secured, to proceed with his projects of internal reconstruction. He has already left Angora for Adana, one of the places which he intended to visit in the course of his interrupted tour begun in January.

2. Very little has yet been disclosed as to what actually passed in the Assembly during the great debate. The account of the voting given a few days ago by the "Tanin," a paper usually well informed on such matters, is sufficiently curious and significant. It is said that 275 Deputies took part in the proceedings, but that no less than 85 abstained from voting, and that of the remainder 170 voted for and 20 against the Government proposals. I have no information as yet as to the composition of the large group of Deputies who refrained from voting on so vital an issue, but I expect to find that it was largely made up of Deputies not less desirous of peace than the partisans of Mustafa Kemal, but unwilling for reasons of internal politics to commit themselves to supporting him. Everything points to the fact that, if peace is concluded, it will be followed by a violent internal struggle between Kemalists and anti-Kemalists, and both sides are already playing for position. Everyone in Angora has combined to shout "National Pact," but the controversial questions of the future are already being debated. Among them will be the position of the throne and the hardly less thorny question of the future capital, with which I have dealt separately in my despatch No. 158 of to-day's date.

3. Western Europe can afford to await these struggles with equanimity. They will tend to weaken a very arrogant Turkey; and, as the conclusion of peace will

drive a wedge between Turkey as a whole and the Bolsheviks, whatever party comes out of the internal struggle uppermost will probably be a little more inclined than it might otherwise be to treat the Allied Powers with consideration. So far as His Majesty's Government are concerned, I do not anticipate a really friendly attitude on the part of any dominant party in Turkey for a long time to come, but I think we shall be treated with respect, and, while our subjects will have much to suffer, there will probably be a tendency to placate us on larger issues.

4. Meanwhile, the question of peace or war remains the immediate and vital issue. Those Turks who stand for peace, and among whom Mustafa Kemal may now be definitely classed, require careful handling. It is for that reason that in my telegrams I have ventured to urge a policy of elasticity in dealing with their counter-proposals. It is satisfactory to note that once the decision was taken, all the Turkish papers of Constantinople rallied to the Government with one exception. This, the pan-Islamic "Tevhid-i-Efkiar," has published a series of attacks, the gist of which may be gathered from the title of that published on the 9th March, "Definite Results do not come of Weak Decisions." The other papers declare with no little sound and fury that a pacific but strong and independent Turkey has said her last word in the counter-proposals, and that it is now for the Allies to accept them, if they too want peace; but it is quite evident that the writers have no expectation of an unqualified acceptance, and are perfectly prepared to see the points raised by the Angora Government debated in conference.

5. The attitude of the "Tanin," the organ of that section of the old Union and Progress Party which still ranks Javid Bey among the apostles, is sufficiently interesting to merit special attention. On the 27th February it published a long article on the "Economic and Financial Questions." This article shows strong traces of French influence, but it is satisfactory to note that the writer, Jahid Bey, rejects as absurd the idea that there is any justification for the suggestion that any question of "economic slavery" is involved. He analyses the points at issue under seven headings, viz.:—

(1.) Payment of the interest on the Public Debt in gold.
(2.) Participation of Irak and Syria in debts contracted during the war.
(3.) Acceptance of concessions granted by the Constantinople Government.
(4.) Confirmation of concessions granted in 1914.
(5.) Adaptation to present circumstances of companies in which Allied capital is preponderant.
(6.) Purchase of railways in Asia Minor.
(7.) Non-abandonment of Civil List and "private" Government property in detached territories.

6. After pointing out that the Allied proposals regarding these matters were not in the nature of an ultimatum thanks to M. Poincaré, whose readiness to discuss them prevailed over British irreductibility, Jahid Bey takes each point separately and reaches the following conclusions:—

(1.) This should and could have been settled on the basis of a reasonable compromise between the Turkish Government and the Debt Council. Jahid Bey evidently favours payment on a French franc basis.
(2.) He divides this under the headings of liability for requisitions, internal loan, and paper money. The Allies agreed that the first of these should be brought into distribution, and at one stage showed a tendency to concede the Turkish point about the internal loan, a tendency of which advantage may still be taken. They refuse to trust paper money as a debt, but the door is not yet closed to discussion.
(3.) Ismet Pasha was right in refusing to accept these concessions blindfold, but the practical course was to get a list of them and deal with each separately, accepting the good and rejecting or remodelling the bad. Some say that all this fuss arises out of the Constantinople Telephone Company's concession. In principle this falls into the class of things not to be accepted blindfold; but there was certainly time in two or three months to examine it and suggest modifications. There has also been much talk of great concessions given to the Italians. Jahid Bey was unable to extract a list of these from the Turkish delegation. His enquiries in Constantinople led him to think that the scope of the arrangement with the Italians has been much exaggerated. It is a question of first finding out the facts.

(4.) Jahid Bey challenges the Government on the question whether it is true, as has been alleged, that the Angora Government, in reply to definite enquiries by the French, undertook to recognise the concessions given in connection with the Percir Loan. If so, the question is settled. If not, it is a question not of refusing to grant railway concessions which might well be given, but of re-examining the arrangement and rejecting anything detrimental to Turkish interests.
(5.) Here again the Government was right in principle to refuse to provide in a political treaty for the case of Turkish companies, but the practical course was, and is, to settle the questions which arise direct with the companies and not merely to rely on a bare principle.
(6.) Jahid Bey sees nothing to which the most fervent Nationalist need object in the Allied proposal that the Turkish Government should buy out the Germans, or in the suggestion that the Allies should lend the money necessary therefor. The objectionable feature is that the Allies want to form an exploitation company in which Turkey should have a 25 per cent. interest only. This is a matter for a bargain, in which the Government should start by asking for complete control in regard to exploitation, and should then consent to give the Allies a small share in consideration of their advancing the money for repurchase.
(7.) This is a question of international law rather than of economics or finance. Jahid Bey hopes that further negotiations may lead to a settlement more favourable to Turkey.

7. I have devoted more space to this article than is appropriate to a political despatch, because it suggests lines of thought which may be useful in the rediscussion of points outstanding in the treaty. To take one example, it is interesting to note how much stress Jahid Bey lays on the desirability of concurrent negotiations with the foreign interests concerned in concessions, in order to avoid dealing with them in the Peace Treaty. We might ourselves find it convenient to shape matters in this direction in the case of a question like that of the Constantinople Telephone Company. Jahid Bey reverts to the general suggestion in a leading article published on the 9th March, after the Angora decision had been published. As I have hinted above, he is much under French influence in making these utterances. Indeed, on the 7th March, before the decision was announced, he published a strong attack on your Lordship as being the obstacle to peace owing to your attitude regarding the Montagna judicial formula, and the economic and financial questions, on which he represented the French and Italians as quite ready to meet the Turks. When writing this article, Jahid Bey saw the solution in separate treaties with France and Italy. It is amusing to note that this article was studiously ignored by the local French organ.

8. Speculation is rife as to where the further discussion of the treaty will take place and by whom it will be conducted. It is generally assumed that Ismet Pasha will be again in charge, though with a much smaller delegation. It is much to be hoped that this will be the case, though Ismet Pasha's decision will doubtless depend to some extent on the constitution of the Allied delegations and the range of discussion agreed to. He appears to have stood consistently for a peace policy in the face of much criticism at Angora. I have before me a report from a secret source of a speech which he is said to have delivered in the Grand National Assembly on the 2nd March, and which, if authentic, bears out this appreciation of his attitude. In this speech he defends himself against the accusation of being an advocate of peace at any price, but contends that the objects for which war was necessary have been attained, that, while Turkey is capable of fighting on if need be, her greatest need now is peace, and that nothing remains which would justify a resumption of hostilities.

9. As regards the other Turkish delegates, I fear that Hassan Bey is likely to be again in charge of financial and economic questions. Riza Nour Bey has been little heard of and would appear to be somewhat under a cloud. The "Tanin," in an article published yesterday, is very complimentary to Ismet Pasha, but observes that all his colleagues in the delegation were not equally well chosen. The first qualification of a delegate was that he should be a gentleman in the full sense of the word. No Turk could wish his country to be represented by a plenipotentiary who had provoked the remark: "We meet for the first time an ill-bred Turk in a diplomatic gathering." This obvious allusion to Riza Nour Bey is followed by others animadverting on his frequentation of the journalists' bar at the Lausanne

Palace Hotel, and a particularly bitter reference to what happened on the 4th February, when the Turkish pressmen were seeking some of the delegation to help to stem the flow of anti-Turkish propaganda. Ismet Pasha was busy upstairs. "But where is So and So?" they asked. And the answer, on that day of tragic happenings, was: "He is drinking whisky in the lounge!"

I have, &c.

HORACE RUMBOLD.
High Commissioner.

No. 480.

Sir H. Rumbold to the Marquess Curzon of Kedleston.—(Received March 1.)

(No. 184. Secret.)
(Telegraphic.)
Constantinople, March 19, 1923.

YOUR telegram No. 31 to Belgrade.

I have no information here as to commencement of secret negotiations between Turkey and Serbia.

I have not received despatches referred to in Athens telegram No. 94 to Foreign Office.

(Repeated to Athens, No. 33, and Belgrade, No. 2.)

No. 481.

Sir H. Rumbold to the Marquess Curzon of Kedleston.—(Received March 19.)

(No. 185.)
(Telegraphic.) D.
Constantinople, March 19, 1923.

MY telegram No. 178.

As a result of exchange of views between Generals Harington and Charpy, French High Commissioner spontaneously spoke to me to-day about rumour of forthcoming Greek military activity. He has no information to corroborate this, and points out that fact that Tundza and Maritza rivers are in flood would anyhow preclude any military activity for some time to come.

(Repeated to Athens, No. 34.)

No. 482.

Sir H. Rumbold to the Marquess Curzon of Kedleston.—(Received March 19.)

(No. 186.)
(Telegraphic.)
Constantinople, March 19, 1923.

MY telegram No. 166.

I presume that if inter-Allied meeting in London decides that renewed discussions with Turks are to take place at Constantinople, question of chairmanship and procedure will likewise be settled there. My French colleague agrees with me that we cannot tolerate Turkish chairmanship, and that it will be best to adhere to procedure followed at Lausanne, under which work was divided amongst three commissions presided over by three principal delegates of inviting Powers. In above case it is possible that Ismet, as a Minister for Foreign Affairs, might decline to represent Turkish delegation.

As economic and financial clauses of treaty more especially affect French, it would seem wise to let them bear the brunt of attack. General Pellé would make a capable and businesslike chairman of third commission. As delegations would be much smaller than at Lausanne, work would presumably be done in full commissions instead of in sub-commissions.

[E 2978/6/44] No. 483.

Mr. Bentinck to the Marquess Curzon of Kedleston.—(Received March 20.)

(No. 191.)
Athens, March 10, 1923.

My Lord,

I HAVE the honour to report that it is announced in the press that "the Chief of the Revolution" has decided to reconstitute the Commission of Enquiry into the cause of the defeat in Asia Minor. The commission will be known as "Commission of Enquiry into the Operations in Asia Minor," and will be placed under the presidency of Major-General Constantine Mazarakis. Its duty will be to examine the causes from a purely military point of view which led to the Asia Minor collapse, and to determine the responsibilities of the officers of the higher command. Colonel Plastiras stated yesterday that the commission will have no judicial or penal competency, but that its work will be of a historical nature.

2. Major-General Constantine Mazarakis is the brother of General Alexander Mazarakis, the Greek military delegate at the Mudania and Lausanne Conferences.

I have, &c.

C. H. BENTINCK.

E 2989/1/44] No. 484.

Mr. Phipps to the Marquess Curzon of Kedleston.—(Received March 20.)

(No. 695.)
Paris, March 19, 1923.

My Lord,

WITH reference to Lord Crewe's despatch No. 607 of the 11th March, 1923, on the subject of my visit to M. de Peretti de la Rocca, I have the honour to enclose herein copy of a note received from M. Poincaré respecting the validity of the pact of the 5th September, 1914.

It will be observed that M. Poincaré refers to his note of the 22nd February last, which Lord Crewe forwarded to your Lordship in his despatch No. 482 of the 26th February, and contends that a treaty concluded not for the purpose of terminating a state of war, but in order to secure French or British interests in Turkey has no relevancy to the pact of 1914.

The President of the Council concludes by expressing the hope that, in view of the concerted action of the British, French and Italian Governments with regard to Turkey, this discussion, which he regards as purely academic, will not be continued.

I have, &c.

ERIC PHIPPS.

Enclosure in No. 484.

M. Poincaré to the Marquess of Crewe.

Paris, le 19 mars 1923.

M. l'Ambassadeur,

LE Conseiller de l'Ambassade de Sa Majesté est venu récemment entretenir de nouveau mon Département de la discussion, heureusement de peu d'intérêt pratique, que son Excellence le Secrétaire d'État avait cru devoir soulever à propos de la déclaration franco-britannique du 5 septembre 1914.

Son Excellence Lord Curzon ne paraît pas, malgré les précisions que j'avais eu l'honneur de donner à votre Excellence dans ma lettre du 22 février dernier, avoir bien compris la position dans laquelle se trouveraient les deux Gouvernements au cas, qui, je l'espère, ne se réalisera pas, où la conclusion d'un traité de paix collectif des Alliés avec la Turquie se trouverait rendue matériellement impossible.

Ce serait abuser de l'attention de votre Excellence que lui répéter les observations que j'ai eu l'honneur de lui développer sur ce sujet dans ma précédente communication. Le bien-fondé m'en paraît difficilement contestable.

Aussi bien, son Excellence le Secrétaire d'État n'ignore pas que l'état de paix, tout comme l'état de guerre, est un état de fait qui, comme l'histoire en montre plus d'un exemple, peut se trouver rétabli sans la formalité de la conclusion d'un traité de paix.

Je ne puis douter que le Gouvernement de Sa Majesté ne reconnaisse qu'un trait. intervenant, dans ces conditions, non plus pour mettre fin à l'état de guerre et établir un état de paix déjà rétabli, mais pour régler les intérêts de la France ou de l'Empire britannique en Turquie, n'a aucun rapport avec la déclaration de 1914.

Toutefois, en tant qu'un semblable traité serait de nature à intéresser le statut politique de l'Orient, le Gouvernement de Sa Majesté peut être assuré du sincère désir du Gouvernement de la République de s'entendre avec le Gouvernement de Sa Majesté pour maintenir entre les deux pays l'heureuse communauté de vues qui est le plus sûr garant de la paix européenne.

Quoi qu'il en soit, votre Excellence estimera sans doute comme moi que, précisément au moment où nos deux Gouvernements se concertent avec le Gouvernement italien sur l'attitude à observer vis-à-vis de la Turquie en vue de la conclusion d'une paix commune, cette discussion académique est véritablement sans objet et qu'en conséquence de nouvelles communications sur ce sujet ne sauraient présenter aucune utilité.

Veuillez agréer, &c.
R. POINCARÉ.

No. 185.

Sir H. Rumbold to the Marquess Curzon of Kedleston.—(Received March 20.)

(No. 187.)
(Telegraphic.) R. *Constantinople, March 19, 1923.*

I HAVE received from a prominent British merchant a memorandum, which I shall forward by bag, making out a strong case against Turkey's contention that depreciation of her pound has made it impossible to pay debt coupons in sterling.

Chief arguments adduced are :—

To make good her case, Turkey would have to prove that depreciation alone has reduced, and will so reduce, her revenue for whole term of loans as to make payment in sterling impracticable.

Revenues assigned to service of loans *hors décret* are derived from customs, aghnams and tithes.

Present specific customs tariff is designed to approximate to old 11 per cent. *ad valorem*, and is, in fact, with exchange as at present at 650 on the average, well in excess of it. As values of commodities fall percentage *ad valorem* will increase.

Tithes are collected in kind, value of produce varying with fluctuations of sterling exchange. Wheat, for instance, is now worth eleven times pre-war value, whereas depreciation of exchange is only 6½ to 1. Government therefore receives from tithe farmers increase of paper money which more than compensates for depreciation.

Aghnams is levied per head of animals, and has been raised five times to meet depreciation. Further increase in this respect could, if necessary, be imposed, as value of animals and their produce has risen nine times. The same argument affects all taxation of the peasant, value of agricultural produce having risen in proportion.

With peace, normal pre-war volume of trade will rapidly return, and it would be most unjust to penalise bondholders for whole term of loans by making a lasting modification to cover Turkey for a loss which she will only incur for a year or two after peace. Moreover, were Turkey to be granted relief in this respect, States detached from Turkey would have right to claim similar relief as regards their annuities.

Payments of coupons in French francs would imply reduction to-day of 65 per cent., and value of bonds would have no stability, but would follow incessant fluctuations of the franc.

No. 186.

The Marquess Curzon of Kedleston to Sir H. Rumbold (Constantinople).

(No. 87.)
(Telegraphic.) *Foreign Office, March 20, 1923.*

PLEASE consult General Harington and let me have your joint views regarding paragraph which Turkish Government propose to add to Amnesty Declaration [illegible] their counter-proposals regarding the surrender after peace of Turks condemned during the armistice for military, political or common law offences. You will remember that some such suggestion was refused by me at Lausanne on grounds of thus possibly encouraging attacks on British soldiers at Constantinople.

No. 187.

Mr. Bentinck to the Marquess Curzon of Kedleston.—(Received March 21.)

(No. 99.
Telegraphic.) *Athens, March 21, 1923.*

CONSTANTINOPLE telegram No. 185.

No doubt floods render forward movement impossible for the present, but see my telegram No. 67. Nearly five weeks have already passed and uncertainty is puzzling, and tends to increase exasperation of Greeks (see my despatch No. 133); Turks and *Entente* may be able to wait indefinitely, Greeks cannot. According to reports, Turks are steadily strengthening themselves unhindered in Eastern Thrace. General Angaues and his officers may well prefer risk of a rush on Constantinople to waiting whilst Turks prepare to attack. Greeks do not want repetition of last year's experience in Asia Minor, and a day may come when Government will no longer be able to restrain hotheads

Meanwhile dissatisfaction at inevitable [group undecypherable] measures is increasing and nervousness at possibility of Serb-Bulgarian rapprochement is growing at Athens (see my despatch No. 196). Recent statement by Serbian Minister for Foreign Affairs has been contributory factor.

My Italian colleague believes that Turks are endeavouring to conciliate Serbians, and that latter will not give way on Salonica question. Turks, he suggests, will, when ready, attempt to seize Western Thrace failing indemnity from Greece.

Repeated to Constantinople and Belgrade.)

No. 188

Sir H. Rumbold to the Marquess Curzon of Kedleston. (Received March 21.)

(No. 188.)
(Telegraphic.) *Constantinople, March 21, 1923.*

YOUR telegram No. 87.

My recollection is that Turkish proposal to add new clause which now figures in Turkish counter-draft of amnesty declaration was never finally threshed out at Lausanne. Point on which your Lordship took firm stand arose in discussion on prisoners of war clause of treaty itself, and view sustained by you was embodied in draft declaration annexed to treaty, from operation of which persons guilty of common law offences subsequent to 20th November last are expressly excluded

General Harington considers it important that nothing should be agreed to elsewhere in treaty settlement which would cast doubt on his right under declaration under annex to treaty to deal with persons guilty of offences against army between 20th November, 1922, and completion of evacuation.

Turkish addition to amnesty declaration as at present worded would create doubt of this kind. It is also open to very serious objection that unless Turkey is defined as meaning territory of new Turkish State it would enable Turks to claim surrender of all sorts of persons arrested in Irak, Palestine and Syria. Moreover, it is so worded that it might conceivably be strained to cover demand for surrender of persons removed in their own interest like ex-Sultan.

When Turks originally suggested addition they were believed to have in mind possible case of Turks deported by Allied authorities. Careful drafting of additional

amnesty declaration merely covering this point as regards new territory remaining Turkish under treaty would not be open to objection on our part, as all deportees have been returned. I am assuming that the man Rifi group undecipherable] now detained in India will have to be surrendered anyhow under prisoners of war clauses and declaration annexed to treaty.

Conclusions from above are as follows:

(*a.*) Addition as drafted by Turks is inadmissible.

(*b.*) It is unnecessary for the purpose of covering any cases concerning His Majesty's Government in which Turks may legitimately expect Turkish subjects to be surrendered.

(*c.*) Formal satisfaction might be given to Turks by accepting some more narrowly worded addition.

No. 189.

The Marquess Curzon of Kedleston to Sir H. Rumbold (Constantinople).

(No. 88.)

(Telegraphic.) R. *Foreign Office, March* 21, 1923

YOUR telegram No. 183 of 18th March: Passports for Constantinople.

I approve, provided condition in last paragraph is strictly observed.

[E 3162/1/44] No. 190.

Minutes of an Inter Allied Meeting held at the Foreign Office, March 21, 1923 *at* 3·30 P.M.

Present

BRITISH EMPIRE.

The Marquess Curzon of Kedleston (*in the Chair*).	Mr Payne, Mr Fountain } Board of Trade.
Sir E. Crowe	Mr Waley, Treasury.
Mr. Vansittart.	
Mr Malkin	
Mr Nicolson.	
Mr. Forbes Adam	
Mr. Spring Rice (*Secretary*)	

FRANCE.

M Bompard	Comte de Saint Aulaire
M. Bargeton	M. Thierry (*Secretary*).
M. Fromageot	
M Bexon	

ITALY.

Marquis Garroni	Marquis della Torretta
M Montagna.	
M Guariglia	
M. Nogara	

JAPAN.

Baron Hayashi	
M. Nagaoka.	
M. Sato	
M. Okamoto, M. Yabuzawa	Secretaries.

LORD CURZON said he was sorry the delegates should have been troubled to come to London. He had hoped that their work would have been finished at Lausanne. Nevertheless he extended to them a very warm welcome and hoped that their present labours would be lighter and the journey less prolonged than at Lausanne.

He looked forward with pleasure to entertaining them on the 23rd March as the guests of the Government.

The members of the present conference represented the Great Powers: France, Italy, Japan and Great Britain. The delegates might have seen that the British Government had also invited M. Venizelos to London, not as a member of the conference, but because a decision would have to be reached in regard to the question of Greek Turkish reparation. It was proposed to call M. Venizelos to London to consultation when that question was discussed, since it was only fair that he should be given an opportunity of stating his case in the same way as the Turkish Government.

The present conference had only one object, namely, to succeed where the conference had failed (if indeed it had failed) at Lausanne, and to make arrangements among the Allies which would enable them when they met the Turks later on to carry matters to a successful issue. No false pride ought to deter the delegates from examining every aspect of the case. What they had to do was firstly to determine what reply to send to Ismet Pasha's letter; secondly to decide whether they would meet the Turks again, as he hoped they would and, if so, where and thirdly to decide to what extent it would be possible to meet the requests of the Turks what counter-proposals should be put forward and in what respects the Allies must insist on their point of view.

He wished to recapitulate the final stages of the negotiations at and after the Lausanne Conference which had brought matters to the present point. The conference would remember that on Saturday, the 3rd February after a meeting among themselves the inviting Powers had made to the Turks a series of offers and concessions on all the principal points of the treaty, political, financial and economic, as well as on the declaration respecting the judicial régime. On Sunday, the 4th February, Ismet Pasha replied in a letter accepting the political and military clauses with modifications in the case of Mosul, and making observations and reservations on the financial economic and sanitary clauses. He also submitted a formula containing considerable modifications of the judicial régime. Arrangements which contained considerable modifications of the judicial régime. Arrangements which contained considerable modifications of the Allies proposals. On the same day the Allies consulted among themselves and agreed to make a final offer. The final meeting took place in Lord Curzon's room at the Hôtel Beau Rivage on the afternoon of that day. Ismet Pasha accepted Lord Curzon's offer regarding Mosul, he raised difficulties on the formula respecting Turco Greek reparation. He entirely refused the judicial clauses proposed by the Allies and insisted that the economic clauses should be reserved. After a great deal of negotiation on the part of the Allies, during which Ismet Pasha and Riza Nour withdrew to consult among themselves, the Turks finally refused to sign and the British delegation was obliged to leave Lausanne.

After the British delegation left, Signor Montagna, in an admirable spirit of mediation, submitted to the Turks another formula for the declaration on the judicial régime. The British Government did not see the text of this declaration until about ten days later when it was supplied to them by the Italian Government in response to a telegram to Rome. When this declaration was examined the British Government were not at all satisfied as they considered that it did not sufficiently safeguard very important foreign interests in Turkey, especially as regards the right of arrest and domiciliary visit.

At the same time, M. Bompard made a very generous offer to the Turks to detach all the economic clauses from the treaty and enter into separate negotiations in regard to them. Since the date of this offer the French and Italian Governments had obtained and the explanation appeared to Lord Curzon entirely reasonable—a modified offer had been submitted to Ismet Pasha in order that he might sign at once before leaving Lausanne. Unhappily M. Bompard did not succeed and his offer consequently fell to the ground. It was not obligatory upon the British Government to make these concessions in offering which they had not taken part, and Lord Curzon having left Lausanne.

There was another somewhat delicate and difficult matter in the British position. On the 4th February Lord Curzon had offered not to insist on the entire waiving of the Turkish claim to repayment by Great Britain of 5 millions in respect of battleships building for Turkey in Great Britain at the outbreak of war, but to regard the 5 millions as a payment which the British Government would make to the Allied Powers. Since his return Lord Curzon had had great difficulty on this subject with his colleagues and particularly with the Chancellor of the Exchequer, who said that a vote of the House of

Commons would be necessary and would be impossible to obtain in view of the extent to which the British taxpayer had already suffered during and since the war. The British taxpayer could not fairly be asked to pay sums in justice due from the former enemies of his country. This matter did not, however, affect the treaty itself as the Allies had offered at Lausanne to forgo reparation claims. It was merely a question of a further payment into the Allied pool which already represented certain sums in gold the property of the Turkish Government seized at Berlin and Vienna.

After the delegations left Lausanne came the debates in the Assembly at Angora which it was not necessary to resume; they appeared to have been somewhat complicated and difficult. The net result of them, however, was that the cause of peace, as represented by Mustafa Kemal and Ismet Pasha, had won. The Extremists had been defeated by the Moderates, and the Allies knew that they could count on the influence of the latter in the cause of peace.

The Allies had now received Ismet Pasha's letter and counter-proposals. In that letter Ismet Pasha laid all the blame on the Allies; the Turks were entirely innocent; the Allies had always been *méchants;* the Turks alone had made all the concessions, and it was now for the Allies only to make a gesture of peace. The most important passage in the letter was that which suggested the detachment of the economic clauses from the treaty. This would be a difficult task. Many of the economic clauses were of great importance for all Allied nationals not only French and Italian, but British also. Many of them had already been accepted by the Turks at Lausanne and others could easily be accepted with slight modifications. If they were detached from the treaty altogether and postponed for settlement at a later date, the result would be a long delay.

Lord Curzon felt that it was worth while for the present conference to examine this question with great care. Different methods would doubtless have to be discussed, but he himself was ready, and he believed the Allies also were ready, to resume discussions on the economic clauses with the Turks. On this matter M. Bompard would doubtless speak with special authority. If it should prove impossible to include the economic clauses in the treaty itself, perhaps a general formula could be inserted in the treaty containing a statement of principle, while the details were left for later discussion. [illegible] to separate negotiations.

As regards procedure at the present conference, it seemed to Lord Curzon the best method might be to constitute committees. His own time was much occupied in Parliament, and he would not be able to assist at all the meetings. He would suggest three committees: one to deal with financial, another with economic and the third with general questions. It would be well that the proceedings should be as informal as possible. The committees would, of course, be free to appoint their own chairmen and to sit as and when they pleased. After they had examined all the questions they would advise the conference (1) which clauses of the Turkish reply could be accepted without discussion; (2) which clauses must be rejected; (3) on which clauses it would be possible to negotiate. When this work was finished and the reports submitted to a main conference would consider what reply it owed to Ismet Pasha.

Lord Curzon's view was that it was advisable that while on that reply to go into details it would be quite sufficient to draw it upon general lines in friendly terms and to express readiness to resume negotiations. His idea was that the reply might be roughly to the following effect:—

The Allied Governments must express surprise that Ismet Pasha has reopened various proposals which he had himself accepted as closed on the 4th February at Lausanne, and that he has made certain entirely new propositions. Nevertheless, in their earnest desire to expedite the signature of peace, they are prepared to agree to discuss all the points raised in the Turkish note and annex, but *only those;* secondly, the Allies can only agree to such discussion if it is understood that the economic clauses cannot be detached from the treaty and negotiated upon separately later. It can be explained, however, that the Allied delegations are quite ready to endeavour by renegotiation and mutual concessions to reach an agreement upon the economic clauses to be inserted in the treaty, and that they do not exclude the possibility of shortening them considerably and leaving some details to be settled by later negotiation, perhaps between each Government separately and the Turkish Government; thirdly, while the Allied Governments are prepared to endeavour to reconcile the Turkish draft declaration regarding safeguards for foreigners in Turkey of the 4th February with the original Allied draft of the 3rd February, it must be clearly understood that the Allies have not accepted the Turkish counter-draft [illegible] amended after the departure of the British delegation from Lausanne.

Two further very important questions required to be settled: firstly, as regards the place of meeting with the Turks. Should the discussions be resumed at Constantinople, at Lausanne or some other European town? At first the French and Italian Governments had approved the suggestion of Lausanne. Later on the Turks, although they did not insist on the point, had said that Constantinople would be the place. Lord Curzon had studied this question closely, since it was of capital importance. He was inclined to favour Lausanne, because at Constantinople the atmosphere would not be favourable for the Allies. The latter would be surrounded with a crowd of fanatical Turks, and there would be the danger of agitation, possibly against the Allies themselves. Attacks had already been made in the Turkish press on Sir Horace Rumbold, and similar attacks might be made on M. Bompard and Baronin Garroni. Further, at Lausanne it would be easy to give the Turks the impression that the conference was merely a continuation of the original conference At Constantinople there would be a mass of people who knew nothing of what had been done at Lausanne, and would be violently prejudiced. Then again, M. Venizelos was coming to London in connection with the reparation question, and might be required to assist at the final stages of the conference; but it was doubtful whether he would be safe at Constantinople.

The second question concerned the work to be done in London. An agreement evidently must be reached—not of course fixing all that was to be done at Lausanne, because they were going there to negotiate; but there should be no doubt on the general lines of policy. Thus, when the Allies arrived at Lausanne they would be in a position to lay down the guiding principles to be followed on all questions, and the Turks must not have any pretext for thinking that each Power was ready to make separate concessions. At Lausanne the Turks had always had an idea of this kind—that they could get better terms from the French on Tuesday, from the Italians on [illegible] day, and from the British on Thursday, thus keeping up a circulation of intrigue. The important thing was to constitute a really solid Allied front.

At Lausanne a communiqué had been given to the press after each meeting; Lord Curzon proposed that in London nothing should be given out in this way. The [illegible] was not a conference but merely friendly discussions between the experts of the Allied Governments. He might perhaps be permitted to say that the press in London was not so inflammable as in Paris or Rome, and it could be explained to them that as the discussions were quite informal among experts, a communiqué would be issued at the end of the proceedings only. He proposed that a short statement should appear the next day in the press merely stating that the delegates had met, but giving no details.

Lord Curzon concluded by inviting his colleagues to express their views with [illegible] frankness.

M. BOMPARD, after expressing his thanks to Lord Curzon for his good wishes and the hospitality of the British Government, said that he accepted Lord Curzon's proposal not to go into details at the present meeting.

He thought it advisable, however, to make clear a point to which Lord Curzon had just alluded.

It was not, as Lord Curzon seemed to think, after the departure of the British delegation, but before, and moreover with his assent, that, accompanied by M. Montagna, M. Bompard had endeavoured to reopen with Ismet Pasha the conversation held at the Hôtel Beau-Rivage on the 4th February last, which had not led to an agreement. About 8 P.M. they both went for that purpose to the Lausanne Palace, to which Ismet Pasha had just returned.

On his arrival at the hotel, M. Bompard was told that a telephone call for him had just come through from the Quai d'Orsay; it was M. Poincaré, who wanted to know whether the Turkish delegation had signed the treaty. M. Bompard replied that the treaty seemed likely to break down on two questions: the judicial safeguards, with which M. Montagna was dealing at the moment, and the economic clauses, which he himself had just taken over. M. Poincaré replied that he attached the utmost importance to the signing of the treaty, and that therefore if this could only be obtained before the departure of the British delegation by reserving the economic clauses for future discussion, M. Bompard should not hesitate to consent to such a [illegible].

M. Bompard then went to Ismet Pasha's room, where he found M. Montagna discussing the question of judicial safeguards with Dr. Riza Nour. Ismet Pasha had retired, and was not present at the discussion. A new draft of the Turkish

declaration relating to the administration of justice having been decided upon between M. Montagna and Riza Nour Bey, the latter took it to Ismet Pasha, who agreed to it.

M. Bompard then proposed to Hassan Bey to substitute for the economic clauses the following proposal:

"The high contracting parties agree to submit Part III of the draft treaty (economic clauses) to an immediate revision with a view to reach a definite understanding among themselves in regard to the articles which it has not yet been possible to settle by common agreement.

"The convention to be concluded for this purpose shall be annexed to the Treaty of Peace."

As will be seen, there was no question in this proposal of separating the economic clauses from the treaty in the sense in which Ismet Pasha was demanding their separation to-day, but merely of re-examining them at the same time, in order to embody them in a separate instrument, which would be annexed to the treaty like the Straits Convention, the Commercial Convention, and several others.

When Hassan Bey went to consult Ismet Pasha on M. Bompard's suggestion Ismet Pasha informed Dr. Riza Nour that he withdrew his assent to the declaration prepared in collaboration with M. Montagna.

Without waiting any longer, M. Bompard and M. Montagna left the Lausanne Palace and came to the station platform in time to see Lord Curzon, who was getting into the train. Negotiations came to an end after the departure of the British delegation.

Lord Curzon would thus see that his, M. Bompard's, proposal was not to separate the unsettled points from the treaty, but to join them on to the treaty in a special instrument.

As regards the place for the future meeting with the Turks, the French Government were under the impression that the British Government preferred Constantinople.

LORD CURZON enquired which of the two places proposed M. Bompard himself preferred.

M. BOMPARD replied that he had no definite proposal to make in the name of his Government, but that personally he thought Constantinople preferable to Lausanne, since delays on the part of the Turks were, as usual, to be expected, and it would be easier to tolerate them where the High Commissioners were available than in a town where plenipotentiaries only empowered to negotiate the treaty were assembled. In any case, his Government would make no objection to the choice of Constantinople.

As regards the procedure to be followed in London, M. Bompard accepted Lord Curzon's proposals, and agreed with him that the Allies' reply should not be expressed in such a way as to provoke negotiations by correspondence with Turkey.

As regards communications to the press, M. Bompard willingly recognised the reasonableness of the British press, but felt bound to observe that several journalists had already been to see him since his arrival in London. He had of course said nothing to them, but if he did not give them something they would invent news—probably mischievous—of their own. He did not, however, wish to insist on the point.

MARQUIS GARRONI expressed his thanks for Lord Curzon's words of welcome and hospitality. He entirely concurred with Lord Curzon in thinking that there was no occasion to go into details in the reply to Ismet Pasha, as it would serve no useful purpose. As regards the place of meeting for the future conference he agreed with Lord Curzon in preferring Lausanne. The conference would thus evidently be a continuation of the previous one, and he could state positively from experience that the drawbacks to a meeting at Constantinople would be very serious indeed, since the Turks would have just cause for complaint if the Press were excluded from the proceedings in London, before the Angora Government.

BARON HAYASHI speaking on behalf of the Japanese experts, thanked the British Government for their courtesy in welcoming them as their guests, and said

though their contribution might be a small one, they were, nevertheless, anxious to do their utmost to assist in bringing about peace with Turkey. With regard to the place of the coming conference of experts, Baron Hayashi endorsed the opinion of previous speakers that Lausanne was the most suitable place for selection, as no objection to the choice can come from Turkey.

LORD CURZON proposed that, as regards the press, a short communiqué should be issued regarding the present meeting, but none in regard to the subsequent meetings of the experts in committee, and only one further communiqué at the end of the conference. M. Bompard would thus have no difficulty with the journalists who called upon him, as he could show them the door.

He proposed that the committees should be constituted forthwith and their work allotted; that their meetings should be purely informal and confidential; that no minutes of the discussions should be kept, but that their conclusions should be recorded in writing and they should make a final report to the conference. He believed that the more the commission put on paper the more would be likely to get out; the less were put on paper the better it would be. The committees could discuss among themselves in what order they should meet: if the same delegates were serving in two committees, one could meet in the morning and the other in the afternoon. A room would be available for the general committee at the Foreign Office, for the financial committee at the Treasury, and for the economic committee at the Board of Trade. (At this point Lord Curzon was obliged to leave the meeting to attend the House of Lords, and requested Sir Eyre Crowe to make the necessary arrangements.)

It was decided after a brief discussion that the committees should be constituted as follows:

(1.) *General Questions:* Articles 1–45 of the treaty, and conventions respecting the frontiers of Thrace and régime of foreigners.

British Empire	Sir Eyre Crowe.
	Mr. Malkin
	Mr. Nicolson.
	Mr. Forbes Adam
France	M. Fromageot
Italy	M. Montagna
	M. Guariglia.
Japan	Mr. Nagaoka.

(2.) *Financial Questions:* Articles 45–69, 17 and 19 of the treaty

British Empire	Mr. Waley.
France	M. Bexon.
Italy	M. Nogara.
Japan	Mr. Sato

(3.) *Economic Questions:* Articles 70–117 of the treaty, and the special convention concerning the commercial régime.

British Empire	Mr. Payne
	Mr. Fountain.
France	M. Bargeton
Italy	M. Nogara
Japan	Mr. Sato

It was further decided that the committees should be at liberty to summon certain members only to deal with particular questions as they arose.

It was arranged that the committee on general questions should meet the same afternoon, the financial committee on the 22nd March at the Treasury at 10-30 A.M., and the economic committee on the 22nd March at 3 P.M. at the Board of Trade. The meeting ended at 4-45 P.M.

No. 491.

Sir H. Rumbold to the Marquess Curzon of Kedleston.—(Received March 22.)

(No. 189.)
(Telegraphic.) R. *Constantinople, March 21, 1923.*

MY despatch No. 151.

Following is summary of material portion of note delivered by Adnan to High Commissioners on 19th March:

Delay accorded to foreign companies and twice prolonged was amply sufficient to enable them to take necessary steps with a view to registration under law. Several companies having done so, the Government cannot agree to request in joint note of High Commissioners.

As regards law prescribing use of Turkish language by foreign companies, this merely [?omitted: requires] use of Turkish in correspondence with Government and with customers and private individuals. Companies remain free to use whatever language they wish in the course of their operations.

No. 492.

Sir H. Rumbold to the Marquess Curzon of Kedleston.—(Received March 22.)

(No. 190.)
(Telegraphic.) D. *Constantinople, March 21, 1923.*

MY immediately preceding telegram.

Official who delivered note brought verbal message to effect that—

1. Turkish authorities quite appreciate reasons for reservation made by companies which had been registered regarding their future rights under peace treaty; and

2. While Turkish Government could not grant extension of delay, no legal action arising out of their local transactions would for the present be taken against companies which registered.

In connection with latter point, you will observe that Turkish note expressly treats delays already accorded as having been granted in order that companies might take steps to register, not as being periods at end of which the law would become applicable. For importance of this distinction see paragraph 4 of my despatch No. 151.

Situation is most unsatisfactory, but I see no hope of moving Angora Government from their attitude, and I am advising British companies to apply for registration, subject to reservation mentioned above.

Before Turkish reply was received, British insurance agencies received instructions from head offices in London, acting jointly, to cease issue or renewal of fire policies as preliminary step to withdrawal from the market. Some local agents dislike this. I am observing neutral attitude. On the one hand, I do not wish to associate myself with companies in such drastic action; on the other hand, I see great advantage in it, as it will be magnificent object-lesson for Turks. It will practically paralyse local insurance market, as American companies are understood to intend to follow example of British companies. Some French companies will probably do likewise. In any case non-British companies generally are largely dependent on British market for reinsurance.

No. 493.

Sir H. Rumbold to the Marquess Curzon of Kedleston. (Received March 22.)

(No. 191.)
(Telegraphic.) D. *Constantinople, March 21, 1923.*

MY immediately preceding telegram.

Turkish authorities are displaying tendency to enforce other laws also on foreign subjects, e.g., those concerning Tesettu and war profits tax. These apparently stupid attempts to force the pace are probably due to desire to support by as many

accomplished facts as possible theory to which Turks wish to give effect in peace settlement, viz., that [?omitted: offer] made by Allies regarding Capitulations is no renunciation thereof as from coming into force of treaty, but rather recognition of fact that Capitulations have already ceased to exist in virtue of unilateral abrogation by Turks. This theory is at bottom of proposed modification of article 26, which at first sight looks like mere alteration of drafting and proposal to delete first article of conventions relative to régime for foreigners and commercial regime. This makes it very important to protect ourselves against retroactive measures against our subjects, especially as regards arrears of taxes to which they were not formerly liable, judgments of consular courts previous to coming into force of treaty and winding up of cases pending in consular courts.

No. 494.

Mr. Phipps to the Marquess Curzon of Kedleston.—(Received March 22.)

No. 322. [By Bag.]
(Telegraphic.) *Paris, March 21, 1923.*

I SAW Marshal Foch and General Weygand to-day, and they seemed much perturbed at language used lately by Mustafa Kemal in regard to the Syrian mandate of France. They seem to realise somewhat late, though they did not admit it in so many words, whither the French Lausanne policy of "scuttle" had led them.

"Pertinax," in to-day's "Echo de Paris," again deplores weak attitude adopted by French Government towards Turkey, foolishness of which is proved once more by Mustafa Kemal's language. He declares, however, that a welcome reaction has now set in and that M. Bompard will endeavour in London to carry out his instructions, which are the opposite of those which he received early last January. "Pertinax" urges that a more decided attitude should also be adopted in Syria itself, where the High Commissioner, whether he be General Gouraud or another should at once proceed in order to assist the new Federal Council which has been set up there and prevent it from being taken in by Turkish manœuvres.

No. 495.

Sir H. Rumbold to the Marquess Curzon of Kedleston.—(Received March 23.)

(No. 193.)
(Telegraphic.) *Constantinople, March 23, 1923.*

MY telegram No. 169.

M. Steeg left for Angora on 21st March. He was accommodated in the French destroyer sent to Mudania to fetch Colonel Mougin. My French colleague has said no more to me about him, but member of his staff told member of mine in private conversation that M. Steeg had gone to discuss Ottoman Bank business and that French delegation had seen no objection. This is significant, but please do not quote it.

M. Steeg took his wife, which seems to indicate something more than a flying visit. Ottoman Bank has, of course, plenty of its own business to discuss with Angora, including questions arising out of transactions with Constantinople Government, but I can hardly suppose that M. Steeg will not also discuss the large interests of French group with which he is connected.

No. 496.

Acting Consul, Jeddah, to the Marquess Curzon of Kedleston.—(Received March 23.)

(No. [illegible])
(Telegraphic.) *Jeddah, March 23, 1923.*

I LEARN that ex-Sultan has telegraphed to Malta asking His Majesty's Government to transport his family to Haifa or neighbourhood and to remit 2,000*l.* from his bank to him through me. Message states that his health does not permit him to

remain in the Hedjaz, but he does not refer more precisely to his personal plan or desires.

I believe that he wishes to go to Haifa, Cyprus or Switzerland. If there is any question of his being offered accommodation to Malta in H.M.S. "Clematis," which is proceeding thither shortly, I should be glad of early information.

Both Sultan and King Hussein appear to await some expression of views of His Majesty's Government.

A 1798/79/45] No. 497.

The Marquess Curzon of Kedleston to Sir A. Geddes (Washington).

(No. 468.)
(Extract.) *Foreign Office, March 23, 1923.*

THE American Ambassador asked to see me this afternoon, but apparently the main object of the interview was to find out what had been going on at headquarters during ten days' absence, on his own part, at Torquay.

The first subject that excited his curiosity was that of the negotiations at present being conducted between the various Allied experts in London in connection with the Lausanne Treaty. He pointed out that he had in the American Embassy a gentleman very familiar with business matters, personally acquainted with the East, and thoroughly competent to form an opinion on all the subjects under discussion. He would be very glad if this person could be put in touch with the Foreign Office in order to be informed from stage to stage as to what was going on.

I replied at once that I could not encourage any such idea. The matter which I was about to mention was one which I would not have raised independently, but inasmuch as it had been mooted by the Ambassador himself, I felt bound to tell him that, although my relations with the American delegates at Lausanne had been of the most friendly description, and although I had treated them with the utmost frankness throughout, I had the very best of reasons for knowing that their attitude had not altogether been loyal, and that in the case of Admiral Bristol in particular, and secondly, though in a lesser degree, of Mr. Child, the American observers had not lent to our negotiations the help which they affected to be doing, and had, indeed, in some respects, been acting directly behind our backs.

I did not want to make any formal complaint, neither did I wish the Ambassador to take advantage of the information which I had given him, but while this feeling remained in my mind I could not encourage any resumption of an intervention on the part of the United States, which had so far been the reverse of helpful or fortunate. I should be better pleased to tell the Ambassador from time to time myself what was going on, but any direct participation I could not welcome.

The Ambassador accepted the position without demur and said he would be grateful for any information I might be willing, at any time, to give him.

* * * * * *

E 3256 1 44 No. 498

Memorandum by Sir Eyre Crowe.

M. BOMPARD spoke to me yesterday evening, when I met him at the dinner given by the French Ambassador. He astonished me by declaring with much emphasis that M. Poincaré had entirely come round to what he described as Lord Curzon's view concerning the place of meeting, for the purpose of the discussions to be resumed with Turkey over the draft treaty. M. Poincaré was now convinced that the proper place was Constantinople, and M. Bompard begged me to impress most earnestly on Lord Curzon the advantage and importance of deciding upon this solution.

I said I could not help expressing my surprise at this change of M. Poincaré's opinion, at the very moment that the contrary view, which he had been the first to

urge, appeared to be gaining strength in all quarters. I reminded M. Bompard that, whilst Lord Curzon had at first suggested Constantinople, the French Government had immediately raised very decided objections. These had been followed by a similar, if not more determined, protest on the part of the Italian Government, and the arguments adduced by them in favour of reverting to Lausanne had been strongly endorsed, even by our own Ambassador at Constantinople, and it was in consequence of this concordant advice that Lord Curzon has stated at the opening of the present meetings the other day that the balance of advantages seemed to lie with Lausanne. It seemed to me, therefore, a little difficult for M. Poincaré now to come forward urging the opposite view. M. Bompard admitted this difficulty, and explained that M. Poincaré's change of opinion was due to his (M. Bompard's) own efforts. He had from the outset considered that the discussion should take place at Constantinople, and he still thought that the choice of that capital would greatly increase the chances of arriving at a satisfactory arrangement with the Turks. On my asking him on what arguments he chiefly relied in forming this opinion, he laid great stress on the fact that in dealing with the Turks, as with all Orientals, too great importance could not be attached to the time factor. It was quite impossible to negotiate with them except on a leisurely footing, and he ventured to suggest that the necessity felt at Lausanne of hurrying forward a decision at the end was mainly responsible for the failure then experienced. He pointed out that if the negotiations took place at Constantinople, the Allies had the advantage of having their principal delegates, namely the High Commissioners and their staffs, on the spot. They would not feel the pressure of time, for, as they were fixed at Constantinople anyhow, it was no great matter to them if now and then a week were wasted; whereas the delegations despatched from London, Paris or Rome specially to Lausanne or elsewhere would always, after a time, experience the inconvenience of prolonging their absence from their duties at home, and would feel compelled to insist on hurrying the pace, perhaps at the very moment when a display of greater patience might solve a difficulty.

M. Bompard foresaw a very protracted discussion, if and when the negotiations were resumed at Lausanne. The dilatory traditions and habits of the Turks were invincible, and nothing would be gained by not humouring them and adapting ourselves to their way of thinking and dealing. This was to his mind the principal argument in favour of selecting Constantinople. A further reason was that, in his opinion, the atmosphere of Constantinople, being even now, at bottom, antagonistic to Angora, would be favourable to the Allies, rather than the contrary, as had been urged.

I said that, whilst I recognised the force of his views on the point as regards the time factor, I had great difficulty in agreeing to his opinion concerning the Constantinople atmosphere. I asked him, further, how he regarded the two difficulties which our High Commissioners had urged. One was the probable Turkish claim to preside over the meetings, and the other the impossibility of M. Venizelos proceeding to Constantinople, where his life would not be safe.

M. Bompard replied as regards the first objection, that in his view, it was desirable to give the whole discussion as informal a character as possible, and if this were kept in view he did not see why the question of a president should arise at all. The conversations could be conducted without the formality of a chairman at all. He fully admitted the impossibility of M. Venizelos's presence at Constantinople, but he was under the impression that all that need be settled with him could be done here in London now.

We were interrupted at this stage, and M. Bompard merely added that he wished me to impress the matter as warmly as possible on Lord Curzon. I promised to lay the matter before his Lordship without loss of time, but did not commit myself to any view beyond repeating that we had ourselves originally favoured Constantinople, but that, at the point which the discussion had now reached, I thought that it would be likely to prove very difficult to adhere to our original suggestion.

E. A. C.

Foreign Office, March 23, 1923.

No. 499.

Mr. Erskine to the Marquess Curzon of Kedleston.—(Received March 24.)

(No. 19. Secret.)
(Telegraphic.) *Sofia, March 24, 1923.*

YOUR telegram No. 12.

I have been unable to obtain confirmation beyond unreliable reports received by Greek Chargé d'Affaires from Constantinople. Serbian Minister told me recently that on last day of Lausanne Conference member of Turkish delegation sounded him as to attitude of Serbian Government in case of resumption of hotilities, assuring him that Turks would limit to Karagatch their further claims in Thrace, and that he gave non-committal reply. This or further enquiries of the kind may possibly be origin of report.

There is evidence of marked rapprochement between Serbia and Bulgaria, at which my Greek and Roumanian colleagues are much exercised. Latter has received information, from what he regards as reliable source, that in course of discussions at Nish Serbian Government promised to support Bulgaria on question of Ægean outlet in return for energetic action against bands, and that they even hinted at acquisition of Cavalla by Bulgaria in return for support of Serbian claims on Salonica.

I cannot guarantee accuracy of this, but reserve shown by Serbian Legation regarding Nish Conference is very marked, and it is unlikely that Bulgarian Government would go so far as to permit Serbian troops to cross frontier in pursuit of bands unless offered some special inducement.

(Sent to Belgrade.)

No. 500.

Sir H. Rumbold to the Marquess Curzon of Kedleston.—(Received March 25.)

(No. 167.)
(Telegraphic.) R. *Constantinople, March 24, 1923.*

ADNAN BEY called to-day to enquire what news I could give him of meeting of Allied experts in London and when Allied reply to Turkish note might be expected. He said that time was pressing, and that the fine weather was coming on. On my asking him what he meant by this, he replied that the armies would be getting anxious. Adnan Bey said that Turkish Government had received disquieting reports of Greek military activity, and that they heard that there was a clique of officers in Greece which wished for war.

I proved to Adnan Bey, by means of a time-table which had been prepared for me, that the Turks had taken thirty-four days from date on which you left Lausanne to deliver their counter-proposals. The High Commissioners had received these counter-proposals on the 9th March, and Allied experts had met to consider them twelve days afterwards. Thus there was no delay on the part of the Allies, and if there had been any delay anywhere, the Turks were responsible. As regards reported Greek military activity, I pointed out that rivers in Western Thrace were in flood and that any Greek military preparations were no doubt due to rumoured preparations of Turks in Eastern Thrace. Adnan Bey of course denied that the Turks were making any preparations in Eastern Thrace, but I told him we knew for a fact that the Turks had long exceeded the authorised number of 8,000 gendarmes, and had more like 20,000 men in Eastern Thrace. Adnan Bey said that his Government were constantly receiving reports of shipments of arms and ammunition to Dedeagatch and elsewhere for Greek army. I replied that similar reports had been received about shipments of arms for Turkey.

Adnan Bey then referred to presence of M. Venizelos in London, and enquired whether he was taking any part in the meetings of Allied experts. I replied in the negative, and explained that as the object of the Lausanne Conference was not only to conclude a peace treaty between Turkey and the Allies, but also between Turkey and Greece, and that as the Allies were now in possession of Turkish views, it was only right that we should hear the views of the Greeks about questions which were of vital interest to them.

(Repeated to Athens, No. 35.)

E 3205 1/44

No. 501.

Sir H. Rumbold to the Marquess Curzon of Kedleston.—(Received March 26.)

(No. 176.)
My Lord, *Constantinople, March 20, 1923.*

WITH reference to your Lordship's telegram No. 79 of the 13th March and the first paragraph of my telegraphic reply No. 175 of the 15th March, I have the honour to transmit herewith five papers, viz.:

(1.) A statement, for which I am indebted to Sir Adam Block, of contracts and settlements concluded during the armistice period, between the Constantinople Government on the one hand, and the Ottoman Public Debt Administration or banks and companies in which Allied subjects are interested on the other hand, contracts and settlements which are therefore affected by article 70 of the draft Peace Treaty.

(2.) A note containing additional information obtained verbally from the Public Debt on various points in No. 1, which I thought it advisable to elucidate.

(3.) A note of cases which appear to me to arise under article 70, but which are not included in No. 1.

(4.) A memorandum on the British and Allied interests which are or may be affected by the maintenance or otherwise of article 94, paragraph 2, of the draft treaty.

(5.) A similar memorandum on the British and Allied interests affected by the maintenance or otherwise of paragraph 7 of the same article.

2. I believe the enclosed memoranda to be complete as regards the British interests of first-class importance involved, but of this I cannot be absolutely certain. I have been somewhat hampered by the fact that a large portion of the archives of the High Commission were sent to Malta for safety some time ago. As regards interests of secondary importance, the enclosed memoranda give general headings under which cases may arise. It would be impossible to determine what cases of this kind exist without calling for returns not only here, but in other places, more particularly in Smyrna, or rather in the scattered British colony normally resident in that place. I have no reason to believe that if this were done the cases would prove to be either numerous or important, but the possibility of their existence should not be lost sight of.

3. As regards other Allied interests, the information in the enclosed papers cannot be regarded as complete. I do not gather that your Lordship would wish me to approach my French and Italian colleagues with a view to the preparation of a joint statement. There might indeed be some objection to such a course on the eve of the meeting of experts in London, as the French and Italian Governments would probably feel that anything in the nature of an exchange of views or information on matters of this kind fell within the province of that meeting. Should it be found desirable in the course of the London discussions that a joint list should be prepared ere the best course would be in my opinion that the three Governments should instruct their High Commissioners to collaborate in preparing one.

4. Incomplete as the enclosed statements are, they afford abundant proof of the importance of embodying in the treaty clauses to protect the considerable Allied interest involved, and of the fact that the British interests deserve serious attention, quite apart from the question of Allied solidarity. It must, however, be admitted that all the demands which might in due course be addressed to the Turks under the articles as they are drafted at present would not be equally well-founded, and there would well be grounds for agreeing to such revision of the articles as would enable cases to be sifted. It would for instance be difficult to support the Italian Government, if they sought to found any claim on the agreement made with the Turks last April. Among the British cases there is a wide difference between such a case as that of the Constantinople Telephone Company in which we are on very strong moral, though not legally impregnable ground, and that of the Meander Valley Concession, any remaining hold on which is very slight indeed.

5. Underlying the whole of the matters dealt with in this despatch is the difficulty created by the unreasonable and even fanatical objection of the Angora Government to recognise any acts whatsoever of the Constantinople Government since March 1920 as valid. This objection is maintained as a matter of principle,

independently of the substantial interests involved, and it affects other clauses in the treaty as well. I venture to bring this to your Lordship's notice as a matter deserving the special attention of the experts should they still be sitting when this despatch reaches you.

I have, &c.
HORACE RUMBOLD,
High Commissioner.

Enclosure 1 in No. 501.

Contrats et Règlements visés par l'Article 70.

I.—*Avances remboursées en Totalité.*

Banque impériale ottomane.

1. Avance £T. 500,000 (novembre 1920). *Remboursée* par le produit de la liquidation des stocks.

2. Avance de £T. 432,000 (intérêts compris). A vouloir sur participation dans bénéfices Régie. *Remboursée.*

Banque nationale de Turquie.

3. Avance de £T. 300,000 (novembre 1920). *Remboursée* par le produit de la liquidation des stocks.

Dette publique ottomane.

4. Avance de £T. 1,000,000 (décembre 1921). A valoir sur bénéfices Régie. *Remboursée.*

II.—*Avances non réglées ou remboursées seulement en partie.*

1. Dette publique ottomane. Avance de £T. 1,200,000 (janvier 1921), remboursable par le produit de la liquidation des stocks. Solde dû à ce jour, intérêts compris, £T. 960,000.

2. *Banque impériale ottomane.* Avance de £T. 1,250,000 (août 1922). Réglée par transfert au Compte spécial du Trésor de £T. 1,500,000. Solde dû à ce jour, intérêts compris, £T. 1,350,000.

III.—*Participation dans Bénéfices et Règlements divers.*

	£T
1. Eastern Telegraph Company. Participation recettes	2,289,000
2. Société du Câble de Constanza. Participation recettes	104,105
3. Société des Téléphones. Participation dans bénéfices	50,000
4. Règlement de la Banque française des Pays d'Orient ...	201,230
5. Règlement de la Banque commerciale de la Méditerranée	15,000
6. Produit de la liquidation des stocks par la Commission des Ventes, affecté, par décision des Hauts-Commissaires alliés, au remboursement des avances jusqu'à concurrence de £T. 2,000,000	1,434,549
7. Dette publique ottomane:	
(*a.*) Règlement des Coupons "Unifiée et Lots turcs."	
(*b.*) Frais de la Commission provisoire de Contrôle avancés par la Dette publique ottomane à régler	87,000
8. Régie ottomane des Tabacs:	
(*a.*) Répartition des bénéfices des huit premiers exercices.	
(*b.*) Avance de £T. 1,700,000 de 1913. Solde restant dû en capital et intérêts sur ladite avance au 28 février 1923	640,354

Banque impériale ottomane:

9. Remise au Malié d'une somme de £T. 500,003, représentant £T. or 65,511 prélevées sur le dépôt or de £T. 252,058.

Le 17 mars 1923.

Enclosure 2 in No. 501.

Note based on Additional Information supplied by the Ottoman Public Debt Administration on certain Points in Enclosure No. 1, relative to Matters affected by Article 70 of the Draft Treaty.

(The references are to the headings of Enclosure No. 1.)

I. 1 to 4. Although nothing remains outstanding in respect of these advances, it is desirable that they should be formally validated, lest the new Turkish Government should raise any questions with the institutions concerned as to the propriety of their action.

II. 1 and 2. It is obviously most important that the Angora Government should recognise the validity of these transactions and accept liability for the amounts outstanding.

III. 1 to 3. These are payments made by the companies concerned to the Constantinople Government by way of royalty. It is necessary to protect the companies, two of which are British or British-controlled, against any claim that the royalties were paid improperly and should be paid over again to the Angora Government.

III. 4 and 5. These are understood to be simple debts to the Government, which were paid off as such.

III. 6. This is the total sum realised by the sale of Turkish Government property sold by arrangement between the Allied High Commissioners and the Constantinople Government for the purpose of repaying advances made by the Imperial Ottoman Bank, National Bank and Public Debt. The whole amount realised was duly affected to this purpose, but the amount is noted separately as it is necessary to protect those concerned against all claims on account of their having disposed of monies resulting from the sale of Government property in a manner not authorised by the Angora Government.

Incidentally, it is also necessary to protect the buyers of the stocks sold, who in some cases were Allied subjects, against any claim for the restitution of goods acquired by them from sellers who in the view of the Angora Government had no authority to dispose of them.

III. 7 (*b*). This amount has formed the subject of correspondence between this High Commission and the Foreign Office. It represents the working expenses of the Provisional Commission of Control set up by the High Commissioners in agreement with the Constantinople Government. As the commission consisted of the British, French and Italian members of the Public Debt Council, the money for the working expenses was found by the Public Debt Administration, and was outstanding when the Constantinople Government ceased to exist.

III. 8. The eight periods referred to are the first eight years of the extended concession. These items find a place here because all payments made under the new agreement between the Régie and the Constantinople Government (see Enclosure 5 at II (*a*)) might be contested if the validity of that agreement is not upheld.

III. 9. This is the portion of the gold held by the Imperial Ottoman Bank and originally intended for the service of the Internal Loan, which was sold by the instructions of the High Commissioners in order to relieve the financial straits of the Constantinople Government shortly before that Government ceased to exist.

March 19, 1923.

Enclosure 3 in No. 501.

Notes under Article 70 of the Draft Peace Treaty which do not figure in Enclosure No. 1, but which must be Borne in Mind in considering the Effect of the Turkish Proposal to delete that Article.

1. *Public Debt Share in Turkish Customs Receipts.*—The change from the *ad valorem* system to the specific tariff during the war necessitated a new agreement

between the then Council of the Debt and the Ottoman Government regarding the share payable to the Public Debt in respect of the 3 per cent. surtax. The return to the *ad valorem* system late in the armistice period again altered the situation. There was thus a complicated account between the Ottoman Government and the Public Debt. The position when the Constantinople Government ceased to exist was that the Public Debt had partly reimbursed itself by retaining the excess tobacco tithes due to the Government, and had a claim against the Government for a further portion. Protection is needed in order to cover the retention of the excess tobacco tithe, and also to establish the liability of the Angora Government for the sum still outstanding against the Government.

II. *National Bank Charcoal Advance.*—It is doubtful whether this is affected as the claim of the bank, though it arises in respect of a transaction in 1920, lies primarily, at any rate, against the prefecture of the city of Constantinople, and not against the Government. The facts are briefly these. On the 6th November, 1920, the bank, at the instance of Damad Ferid Pasha, then Grand Vizier, contracted with the prefecture to advance £T. 60,000 to finance a scheme for supplying the public with charcoal. The advance was to be secured on the municipal slaughter-house and offal taxes, on the proceeds of the sale of the charcoal to the public, and on the rentals of certain shops belonging to the prefecture, the leases of which were to be, but were not in fact, transferred to the bank. The prefecture, on the one hand, did not draw the whole of the £T. 60,000 and, on the other hand, failed to fulfil its obligations in respect of the security. The upshot of the transaction is that a net balance of about £T. 28,000 is due to the bank, which, having taken legal proceedings, holds a judgment and writ of execution. The case would only come under article 70 if (*a*) recovery from the prefecture should prove impossible, and it should be sought to hold the Ottoman Government, which at least promoted the transaction, responsible, or (*b*) the Angora Government denied the continued existence of the prefecture in the same way that it denies the continued existence of the old Ottoman Government in its own person. The latter contingency seems, however, unlikely to arise, as the prefecture of the city has hitherto been recognised as continuing without interruption.

III. Certain minor cases may arise, which would come under article 70 as at present drafted, and the number of which it is impossible to determine. Among these are :—

(*a.*) Contracts between Allied subjects and the Ottoman Government since March 1920, *e.g.*, for the supply of goods. It is undesirable that the Angora Government should be able to call in question in any way transactions of this sort which were closed before the Constantinople Government disappeared, or to deny liability for any outstanding debts in respect to such contracts exists, as any such claims would probably have come to the notice of the High Commission.

(*b.*) Real property tax paid by Allied subjects since March 1920 to the Constantinople Government. If article 70 should disappear, the Angora Government might possibly demand that such taxes should be paid over again.

(*c.*) Similarly, any royalties paid in respect of mines, forests, &c., to the Constantinople Government since March 1920 might be claimed over again; but it is doubtful whether any important payments of this kind, if indeed any at all, have been made by Allied subjects during that period.

March 19, 1925.

Enclosure 4 in No. 501.

British and Allied Interests Involved in Maintenance of Article 94, *Paragraph* 2 *of the Draft Peace Treaty.*

I.—*British Interests.*

(*a.*) *Smyrna Aidin Railways.*—The Foreign Office has [illegible] the situation about this than the High Commissioner appears to [illegible] information it is not clear why this case should not [illegible] ought under paragraph 1 of article 94, which the Turks will find it difficult to contest in principle, rather than under paragraph 2, on the

ground that a new convention apparently of a quite final and definite character was actually signed in London on or about the 27th July, 1914. The matter is, however, so mixed up with the whole of the Hakki Pasha negotiations, and the information in the High Commission is so incomplete that this possibility can only be suggested tentatively.

(*b.*) *Turkish Petroleum Company.*—This case also is very fully known to the Foreign Office, where it is realised that if, as a result of the latest Mosul proposals, that province should by any chance revert to Turkey, the question of upholding the rights acquired by the company would come under paragraph 2 of article 94.

(*c.*) *Macander Valley Irrigation.*—The National Bank of Turkey had certain rights in respect of this project which were still open in 1914. On the 26th September, 1910, the bank contracted with the Government to submit within seven months (afterwards increased by six weeks) a programme of measures for flood control and irrigation, with an estimate of the cost of preparing a detailed scheme, and the Government was to notify the bank within four months of its acceptance or rejection of the programme and estimate. The bank was to be recompensed equitably at the discretion of the Minister of Public Works for its trouble and expenditure in case of rejection. The bank submitted the programme and estimate on the 7th June 1911, after which the matter remained in abeyance until May 1914, owing to political and military events. In May 1914 the bank again approached the Government, but without result. It does not appear that the Turkish Government is legally tied, except in so far as it is bound to repay the bank for trouble and expenditure in order to regain its liberty of action.

(*d.*) *Ports of Samsoun and Trebizond.*—This also concerns the National Bank of Turkey. It would appear to be a matter for legal opinion to determine whether [illegible] in the concession could now be claimed. The following summary of the position is based on information supplied by the bank :—

On the 21st August, 1911, the National Bank of Turkey signed a preliminary contract with the Ottoman Government for the making of surveys and the preparation of plans for the construction of ports at Samsoun and Trebizond. This preliminary contract gives the bank an option for the actual construction and the working of the ports, under conditions defined in the final contract and the specification of the concessionnaire's obligations, both of which documents were also signed by the bank and the Ottoman Government on the 21st August, 1911. The final contract is however, subject to approval by the Ottoman Parliament.

Under the preliminary contract, the bank undertook to present the plans in the required form within eighteen months from the 21st August, 1911, under a penalty of £T. 10,000. The plans were duly presented on the 11th February, 1913, to the Ottoman Government, who, in due course, finding them to be in conformity with the stipulations of the contract, formally discharged the bank from any liability in regard to the penalty of £T. 10,000.

On the 4th May, 1913, the Ottoman Government notified the bank that it desired to have certain modifications made in the plans, with a view to decreasing the dimensions of the ports; it was eventually agreed in writing by both parties that, contrary to the terms of the contract, the Ottoman Government should be allowed until the 29th August, 1913, to make the desired modifications.

Prolonged verbal and written negotiations ensued. The bank on its side sought a revision of the financial clauses of the agreement. Before the negotiations could be concluded the matter fell into abeyance owing to the outbreak of war.

II.—*Other Allied Interests.*

(*a.*) By far the most important of these are the concessions promised to French groups in April 1914, in connection with the political settlement and loan arrangements then concluded between the French and the Turks. The Foreign Office doubtless fully informed about these, but the following summary based on accounts published in Constantinople in April and July 1914 may be convenient for reference :

Black Sea Railway System.

1. Samsoun-Sivas-Tchalta-Kharput-Argana to link up with the Bagdad Railway system.
2. Branch line from Turkal to Tokat.
3. Branch line from Tchalta to Erzinjan and Pekeridj.

[illegible]

4. Hafza, viâ Castamuni to point 60 kilom. from Bolu, to link up with projected Adabazar-Bolu extension of Anatolian Railway.
5. Soulou-Serai to (or to point near) Yerkeui to link up in due course with Angora branch of Anatolian Railway.
6. Pekeridj-Trebizond.
7. Branch line to Bitlis and Lake Van.

It was apparently contemplated that 1 to 3 would be put in hand first, more especially the line from Samsoun to Sivas, for the immediate commencement of which a portion of the first *tranche* of the loan was to be set aside, the arrangement being that the Régie générale de Chemins de Fer et de Travaux publics was to construct the lines for the account of the Government, and was to exploit them for thirty years. The concessions for the remaining lines were promised in principle.

Syrian Railway System.

1. Line from Rayak to Ramleh, to be extended eventually to the Egyptian frontier.
2. Line from Homs to Deir-Zor.

Various arrangements were made regarding existing lines. *Inter alia*, the period of non-repurchase by the Government of the Panderma-Soma and extension line was prolonged to fifty years; the Smyrna-Cassaba Company was given the right of preference for a connecting line between the Panderma-Soma line and Broussa, the Moudania-Broussa was to have a similar preference for a line from Broussa to Tchitli; the period of non-repurchase by the Government of the French lines in Syria was prolonged by thirty years; the Government waived its right to repurchase the Jaffa-Jerusalem line during the period of the concession.

Black Sea Ports (Construction and Exploitation).

1. Heraclea.
2. Ineboli.

Syrian Ports (Construction and, except in case of Haifa, Exploitation).

1. Jaffa.
2. Tripoli.
3. Haifa.

Right of preference for ports of Samsoun and Trebizond, if the National Bank of Turkey should waive its rights.

An earlier scheme for road construction was brought into connection with the new arrangements.

The foregoing account is not only much condensed, but stands subject to correction in points of detail. Though the various concessions were definitely promised in connection with the political and financial negotiations, it does not appear that the necessary conventions relative to them were signed up to the time that the general war broke out. The inducement of the French to maintain article 94, paragraph 2, to cover these concessions, or such of them as were immediately in view, is obvious. The Turkish disinclination to give effect to them is not unnatural, especially having regard to the Chester scheme, and possible commitments to the Russians.

(*b.*) The question of the future of the Lighthouse Concession may conceivably arise under this heading, but the Board of Trade are fully conversant with this question.

III

Apart from these large interests, cases may arise of concessions for mines and rights of wood-cutting or quarrying, which had not become effective in August 1914, but would have done so but for the outbreak of war. No information is available regarding such cases, but the possibility of their existence needs to be borne in mind especially as regards mines, if it be held that a *permis de recherche* carries with it the right to an eventual concession.

[illegible] 19, 1923

Enclosure 5 in No. 501.

British and Allied Interests Involved in the Maintenance of Article 94, paragraph 7, of the Draft Peace Treaty.

I.—*British Interests.*

(*a.*) The principal, if not the only, British interest involved is that of the Constantinople Telephone Company, a Turkish company in which British capital is predominant. The original convention was signed on the 6th May, 1911. A supplementary convention necessitated by unavoidable delays in the execution of the original convention was signed on the 16th October, 1913. After the armistice two successive further conventions were signed. The first, dated the 20th March, 1919, provided for the restoration of the telephone system to the company, which had been dispossessed during the war, for an increase of tariffs, for the postponement of payment of royalties due to the Government, and one minor matter. The second and most important, dated the 7th December, 1921, was a complete readaptation of the original concession. It contained the following among other provisions:—

Renunciation of the company's reparation claim against the Government
Prolongation of the original concession by a period of thirty years.
Reduction of the royalty from 15 per cent. to 7½ per cent. of the gross receipts.
Renunciation by the Government of all claims for taxes prior to the 1st April, 1919

Although this arrangement technically required the sanction of Parliament, whenever that body should reassemble, its maintenance is of the highest importance to the company, which would be in an impossible position, if its future relations with the Turkish Government and the public were governed by the pre-war conventions.

(*b.*) Castamouni and Boli Timber Concession. The following memorandum supplied by the British Trade Corporation gives the main facts:—

"By an agreement dated the 14th October, 1919, and duly communicated to the Foreign Office, the British Trade Corporation obtained a controlling interest in the concession granted by the Ottoman Government on the 7th December, 1916, to the Orman Ichletme chirkieti for the exploitation of certain forest areas in the Vilayet of Castamouni and Sanjak of Boli.

"Owing to the political situation, it has so far been found impossible to give full effect to the arrangements for the development and exploitation contemplated under that agreement.

"On the 25th September, 1920, the British High Commission, Constantinople, informed the National Bank of Turkey, as representative of the British Trade Corporation, that instructions had been received from the Foreign Office to recommend the claim of the British Trade Corporation to the British representative on the Financial Commission for his favourable consideration, as soon as he shall have been officially appointed

"It is requested that the above facts—the full details of which are known to the Foreign Office—may be borne in mind during the pending negotiations for peace with Turkey. Considerable expenditure has been and is still being incurred in connection with the concession which aims at developing latent resources of the country."

Fuller information should be available in the archives of the Foreign Office, if required. This case does not appear to come under paragraph 7 of article 94, but it may come under paragraph 8, although at the time when it was first brought to the notice of this High Commission it was not possible to take any action on behalf of the British Trade Corporation, as at that time there was an agreement among the Allies not to uphold concessions granted during the war

II. *Other Allied Interests.*

The following are the only cases known to this High Commission:—

(*a.*) *Régie ottomane des Tabacs.*

This concern, in which French interests predominate, concluded in 1921 or early in 1922 a new agreement with the Government adjusting various matters in

dispute, including the method of repayment of an advance of £T. 1,700,000 made to the Government at or about the time when the concession was renewed shortly before the war and the payment to the Government of monies due under the terms of the concession. The Régie, taking advantage of the Government's need of money, drove a hard bargain, and secured favourable conditions for the repayment of the advance. The French financial circles concerned are clearly much interested in upholding this agreement, in which Angora will probably find much to criticise.

It has not been possible to collect in the time available more precise details of this transaction.

(b.) *Société d'Electricité*

Belgian interests predominate in this company. It concluded three supplementary conventions with the Government on the 27th May, 1920, the 2nd September, 1920, and the 18th October, 1920. Under the first, which is the most important, the company obtained a prolongation of its concession by thirty years, with a corresponding adjournment of the Government's right of repurchase. Certain advantages were assured to the Government as regards the supply of electricity to Government Departments, and to the city as regards its share in profits. The later conventions affected tariffs and the mode of calculating the shared profits.

(c.) Apart from the above cases in which concessions have been radically modified, practically every company performing a service of public utility has made arrangements during the armistice period to increase its tariffs. This applies to the following companies, but the list is not necessarily exhaustive:

Quay Company.
Lighthouse Administration.
Constantinople Water Company.
Tramway Company.
"Tunnel" Company.
Smyrna Tramway Company.

Should no protection be afforded, such modifications of tariffs in so far as they were effected from March 1920 onward might give rise to conflict between the companies and the Angora Government.

(d.) *Italian Concessions.*

These so-called concessions were the cause of the famous storm of April 1922. Many Turks base their opposition of paragraph 7 of article 94 on the ground that the Angora Government might by accepting it endorse very large commitments entered into by the Constantinople Government *vis à-vis* of the Italians. Unless there exist secret commitments more definite than those to which the Italian Government confessed when His Majesty's Government protested against their negotiations with the Constantinople Government, the Italians would find it difficult to make out a case for the arrangements being upheld. These arrangements, as communicated by Marquis Garroni to Sir H. Rumbold on the 2nd and 6th May, 1922, were contained in two notes and an attached agreement. The notes from Izzet Pasha to Marquis Garroni and *vice versâ*, both dated the 15th April, 1922, recorded the fact that the agreement was to come into force when the then Turkish Cabinet should sign a Peace Treaty with the *Entente* Powers, and that, if peace was not concluded by that Cabinet, their successors would be free to denounce the agreement. The agreement itself provided that the Imperial Ottoman Government would entertain applications by Italian groups for certain concessions, viz.:

Whole of Heraclea coalfield, excepting pits already disposed of under existing concessions or working rights.

Electrical power station in the Heraclea Basin, and transportation of energy to Constantinople, with rights of distribution without prejudice to existing rights.

Survey, with a view to construction and working, of the following railways:

Boulgourlou Bandirma and extension of railway from Brousse to Modania.
Konia Lake Beyshehr Adalia.
Adalia Bourdour Afion Kara Hissar.
Eregli Boli.
Ada[illegible] Sedjer[illegible].
Eregli Ca[illegible] Sea.

Survey, with a view to construction and exploitation, of ports, jetties, and warehouses at Adalia, Modania, and Selevké.

Survey of works necessary for navigation and irrigation in the Meander Valley.

Bulgar-Dagh silver lead mines.

Other articles in the agreement provided that the Italians were to make surveys and present proposals for the construction and working of the above within five years of the ratification of the Peace Treaty by Turkey; that they were to be compensated for their outlay on surveys in the event of proposals made within that period being rejected; that they were to have the first refusal of the concessions on the same terms as those contemplated with any other non-Ottoman groups for a further period of five years; that a 50 per cent. participation was to be reserved to Turkish capital in the floatation of companies formed to work the concessions; and finally, that the Ottoman Government was to be free of all responsibility or liability to pay damages should the fulfilment of the programme clash with any rights already recognised.

Copies of these documents were forwarded to the Foreign Office in Sir H. Rumbold's despatch No. 437 of the 11th May, 1922.

III.

Another class of case which arises under this clause is that of transfers of mining and similar concessions effected under the authority of the Constantinople Government. We have no means of estimating the number or importance of such transfers. There may be other miscellaneous transactions in regard to concessions not of public utility which would be affected by the clause. Thus the Belgian Legation cites the case of certain granite quarries at Erdek belonging to a Belgian subject, M. Couteaux. The Angora Government now refuse to recognise his rights to the quarries on the ground that the *permis d'exploitation* were renewed by the Constantinople Government after the 16th March, 1920.

E 3207/1/44] No. 502.

Sir H. Rumbold to the Marquess Curzon of Kedleston.—(*Received March* 26.)

(No. 181.)

My Lord, *Constantinople, March* 20, 1923.

IN compiling the enclosures in my despatch No. 176 of to-day's date, relative to the British and Allied interests involved in the maintenance or otherwise of articles 70 and 94 of the draft Peace Treaty, I have had brought to my notice by the National Bank of Turkey certain matters concerning them which did not fall within the scope of that despatch, but to which I think it well to draw your Lordship's attention separately. They are as follows:

1. *Baghdad Municipal Loan.*—This was a loan concluded by the Baghdad Municipality in 1912 with the National Bank, which held 75 per cent., and the Eastern Bank Limited), which held 25 per cent. It was secured on the revenues of the Baghdad slaughter-house, and was guaranteed by the Turkish Government to the extent that the then Minister of the Interior addressed a letter to the National Bank containing the following passage:—

"Le Ministère a, en outre, l'honneur de faire connaître que dans le cas où un retard surviendrait dans les paiements il prend l'engagement d'avoir recours à toutes les mesures administratives, et il donnera tous les ordres et toutes les instructions nécessaires, cette façon de procéder devant être suivie jusqu'à la terminaison de l'acquittement de la dette."

There is now outstanding in respect of this loan a debt of about 25,000*l*. It does not appear to me that this can come in any way under the peace settlement with the present Turkish Government, especially in view of the terms of Sir B. Blackett's letter of the 3rd October, 1922, to Sir H. Babington Smith, a copy of which I enclose for convenience of reference.

2. *Constantinople Municipal Loan.*—I enclose a statement of this case furnished by the National Bank of Turkey. It will be seen that the difficulty in which the bank find themselves is due to the insufficiency of the revenues assigned to the service of the loan owing to the depreciation of currency. This loan does not figure in the table of the debt in the treaty, and the case would therefore not appear to come under the treaty at all, except in so far as the position of the bank may be affected by the fact that the second doubling of the bridge toll was an act performed by the Constantinople Government in September 1921, *i.e.*, subsequently to the date as from which the Angora Government refuses to recognise the validity of anything done by the Government here.

I have, &c.
HORACE RUMBOLD.
High Commissioner.

Enclosure 1 in No. 502.

Sir B. Blackett to Sir H. Babington Smith.

My dear Babington Smith, *Treasury Chambers, October 5, 1922.*

WITH reference to my letter to you of the 13th July and your call here yesterday on the subject of the Baguad Municipal Loan, it has now been agreed that His Majesty's Government will propose to omit this loan from Annex 1 to the financial clause of the Turkish Treaty, and accordingly (if this proposal is accepted by the Allies) it will not be dealt with as part of the Ottoman Debt, but will remain a liability of the City of Bagdad.

Yours sincerely,
BASIL B. BLACKETT.

Enclosure 2 in No. 502.

Statement by the National Bank of Turkey respecting the Constantinople 5 per Cent. Municipal Loan, 1909.

A CONTRACT was entered into on the 16th November, 1909, between the Prefecture of the city ("Shehr-Emaneti") on the one hand and the National Bank of Turkey on the other, the then Ministry of Finance intervening on behalf of the Imperial Ottoman Government, whereby the National Bank of Turkey undertook to float a loan of 1,000,000*l.* for account of the Prefecture of the City of Constantinople. The proceeds of the loan were to be applied to the reconstruction of the Galata Bridge and to the execution of other public works in Constantinople, the service of the loan being provided for by the irrevocable assignment as a first charge of the following revenues:—

1. The toll collected on the two bridges of the Golden Horn.
2. The warehouse charges collected at the Pasha Baghtché Petroleum Depots on the Bosphorus.

The Imperial Ottoman Government, represented by the Ministry of Finance, guaranteed the strict and full execution of the terms of the contract subscribed to by the Prefecture of the city.

So long as the currency of the Ottoman Empire was a metallic one, the assigned revenue sufficed to meet all requirements as regards interest and sinking fund, but with the depreciation of the lira consequent upon the issue of paper money, the accumulated revenue has been insufficient to assure the service of the loan.

At the time the contract was signed the bridge toll was levied as a *per capita* charge of 10 paras. On the 23rd June, 1918, this charge was increased to 20 paras, and on the 1st September, 1921, it was doubled and brought up to its present level, 40 paras.

Coupons Nos. 1 to 8 were fully provided for. As regards coupon No. 9 to No. 22, which fell due half-yearly between the 14th December, 1914 and the 14th June, 1921,

there never was a sufficiency of assigned and collected revenue to meet the service of the loan.

Coupons Nos. 23, 24 and 25, together with sinking fund, have been provided for out of revenue collected during the respective periods in the following manner:—

Coupon and Sinking Fund.	Maturity.	£ Sterling.	Rate.	£T.
No. 23	December 14, 1921	27,500	667	183,449·09
			671	
No. 24	June 14, 1922 .	27,500	683	187,850
			685	
No. 25	December 14, 1922	27,500	851	234,025
		82,500		605,324·09

E 3208/1/44] No. 503.

Sir H. Rumbold to the Marquess Curzon of Kedleston.—(*Received March 26.*)

(No. 182.)

My Lord, *Constantinople, March 20, 1923.*

THERE has been a lull in the situation here since the date of my despatch No. 160 of the 13th March relative to the general political outlook. I confine myself this week to a few matters which seem worth noting briefly.

2. A fairly large number of Deputies who took part in the sittings of the Grand National Assembly to discuss the Peace Treaty have come through to Constantinople. Secret reports received after the arrival of some of them, and therefore not unlikely to be based on first-hand information, indicate that the Assembly was largely influenced in its decision by a rather dramatic pronouncement of Ismet Pasha's on the 6th March, to the effect that the clamour for war was absurd and ruinous, in view of what had been obtained and of the state of the army. According to a report from another sometimes well-informed source Mustafa Kemal also took the line that war would be absolutely unjustifiable. He is stated to have urged this mainly on financial grounds, saying that war with Great Britain would be a dangerous, though not a hopeless, enterprise; that it might entail the complete economic and financial ruin of Turkey; and that the amount involved in the outstanding differences with the Allies would be soon swallowed up in a few months of war.

3. The Turkish newspaper "Aksham" had a leading article on the 15th March, echoing with strong approval an article in the "Temps" suggesting that the practical solution of the economic and financial questions was that they should be settled direct between the Turkish Government and the interests concerned concurrently with the peace negotiations. As I reported in my despatch No. 160, this view has been much ventilated in the "Tanin," probably under indirect French inspiration. The fact of its being taken up by the "Aksham" is significant, as, while the "Tanin" is in reality an anti-Kemalist organ, the "Aksham" is in close relations with Kemalist circles here.

4. The press generally is a little alarmed that revelations as to the amount of dissension in Angora should create the impression in Europe that the Turks do not present a united front. The journalists are at pains to prove that there is no disagreement as regards foreign policy. On the other hand, they seem to be apprehensive regarding the meeting of Allied experts in London, and to be disappointed that the Allies should have agreed to come together for discussion before pronouncing on the Turkish counter-proposals, instead of resuming negotiations with the Turks without any preliminary exchange of views among themselves.

5. Mustafa Kemal Pasha is touring Cilicia. He continues to avoid any public pronouncement on the question of peace or war. The telegrams describing his progress report some significant *obiter dicta* regarding Syria, which sound as though they were intended to bring the French to heel by veiled threats of Turkish intervention in that country. At Adana, it is said, he was greeted by some young women from Antioch and Alexandretta, clad in black, who moved him and all present greatly by crying, "Filled with blood, our despairing eyes await your coming; save us!" The Pasha replied, "The forty-century old home of Turks cannot remain a prisoner in foreign hands." At Mersina, he passed under a triumphal arch erected by Syrian Moslems,

and decorated with black flags inscribed, "Turco-Arab brotherhood! Do not forget your Syrian countrymen." This elicited from the Pasha the saying, "Turkey wishes that Syria too should determine her own destinies.

I have, &c.
HORACE RUMBOLD.
High Commissioner

No. 504.

The Marquess Curzon of Kedleston to Sir H. Rumbold (Constantinople).

(No. 90.)
(Telegraphic) *Foreign Office, March 26, 1923.*

YOUR telegram No. 166 of the 12th March: Resumption of negotiations with Turks.

It is now necessary to decide definitely where the renewed conference is to take place.

It had been my view originally that resumption had best take place at Constantinople, but to this both French and Italians demurred, and in view of your own preference for Lausanne I had come to acquiesce in this view, and by the time experts met here had imagined the question so far settled as to require only formal ratification. To my surprise I learned on 24th March that French Government have now made a complete *volte-face*. French delegate says he has always been in favour of Constantinople, and that he has now succeeded in over-persuading M. Poincaré. What underlying reasons for this change may be I do not know, but those put forward are (1) that Constantinople is sufficiently anti-Kemalist for the atmosphere to be favourable to the Allies in the negotiations, and (2) that the proceedings must inevitably be very lengthy, and it will be better to hold them at Constantinople, where the Allied delegates, being the High Commissioners, will not have to incur the drawbacks of always hastening matters on, as they may have to do at Lausanne, but will be able to proceed in a leisurely manner.

The Italian Government remains strongly in favour of Lausanne, as also the Japanese.

The arguments for and against each place have now been fully stated, and I request you to telegraph to me urgently once again your considered opinion as to which should be chosen. We shall probably have to decide to-morrow afternoon.

(Addressed to Constantinople, No. 90; repeated to Paris, No. 149 (by bag), and Rome, No. 78.)

E 3279 1 44] No. 505.

INTER-ALLIED MEETING REGARDING TURKISH PEACE NEGOTIATIONS.

Report of the General Committee.

THIS report gives in a summarised form the recommendations of the General Committee appointed on the 21st March to examine all the Turkish counter-proposals of the 8th March, other than the financial clauses (articles 45–70 of the Allied draft of the 31st January, and parts of articles 17 and 19), the economic clauses (articles 71–117 of the Allied draft of the 31st January), the Commercial Régime Convention, and the second chapter of the Convention for the Régime of Foreigners in Turkey, these financial and economic questions being discussed by separate financial and economic committees.

Three meetings have been held by the committee at the Foreign Office, at which the following have been present:—

For Great Britain: Sir Eyre Crowe, Mr. Malkin, Mr. Nicolson, Mr. Forbes-Adam, and for certain questions Mr. Payne and Mr. Fountain.
For France: M. Bapst, M. Fromageot, and sometimes M. Bargeton.
For Italy: Signor Montagna, Signor Guariglia.
For Japan: M. Nagaoka.

The recommendations below are given in their order as they appear in the Allied draft treaty and annexes.

Draft Final Act.

The Turkish Government proposes to omit the third paragraph regarding the admission of third Powers to the discussion of the conference.

Observations: This is in conformity with the Turkish attitude throughout the conference, namely, that she only recognised the right of admission to the discussions of those Powers who were mentioned in the original invitation of the British, French and Italian Governments. As, in fact, the third Powers in question had taken part, and as it was felt important to try to maintain the article in the treaty enabling Belgium, Portugal, Poland and Czechoslovakia to accede to the financial and economic clauses, it was decided that every endeavour should be made to persuade the Turks to accept this paragraph, even though certain drafting alterations might be made to meet them, such as the substitution of some such phrase as "certain third Powers having asked to make known their views to the conference."

Recommendation: That it should be maintained subject to drafting alterations.

The Turkish counter-draft also proposes to change the names of the conventions relating to the Régime of Foreigners in Turkey and the Commercial Régime with Turkey to the "Convention relative à l'établissement et à la compétence judiciaire entre la Turquie et les Puissances alliées," and the "Convention commerciale entre la Turquie et les Puissances alliées."

Observations: The object of these changes is to suppress any reference which savours of the Capitulations.

Recommendations: That the Turkish titles should be accepted subject to the suppression in each case of the words "entre la Turquie et les Puissances alliées."

N.B. It was noted that there were at least three new declarations proposed by the Turks which would have to be added to the Final Act if accepted by the Allies, such as the sanitary declaration, declaration regarding the indemnification of the acts of the occupying Powers during the armistice, and a declaration regarding the maintenance of Allied schools, &c.

Draft of Main Treaty.

Article 1.

The Turks omit the words "à moins de stipulations particulières" in the second paragraph.

Observations: This article was intended to cover the possibility of separate consular arrangements, and the Turkish proposal to omit it is not understood.

Recommendation: That this should be explained again to the Turkish delegation and an endeavour made to maintain the words.

The Turks also propose the addition of a paragraph regarding the evacuation by the Allied troops of Turkish territory on the ratification of the treaty by Turkey.

Observations: The obvious objection to this proposal is that the Allied troops would have to leave Turkey before the actual entry into force of the treaty (which only takes place after its ratification by three of the Principal Allied Powers and Turkey). In the interim, none of the judicial, &c., safeguards of the treaty would have come into force, while the courts set up by the occupying Powers would vanish. As a matter of fact, the article itself would have no validity for any of the Allied Powers until they ratified the treaty, and would not therefore achieve the Turkish object in any case.

Recommendation: That the deletion of the article in the treaty should be insisted upon, and that if it be decided later to make any concession to the Turks regarding evacuation between the ratification by Turkey and the actual entry into force of the treaty, this should be done outside the treaty by a declaration or note from the inviting Powers.

Article 2.

The Turks propose to make their western boundary of Eastern Thrace the thalweg of the Maritza instead of the left bank

Observations: It was pointed out that the Greek delegation might have something to say to this change in the treaty, and that since the thalweg was continually changing in this as in many other rivers, there were practical inconveniences to thus fixing the frontier. On the other hand, it was suggested that, if the Turks insisted, the inviting Powers might accept the words "le cours" instead of the words "le thalweg," the definition of the words "le cours" being already given in article 6 of the treaty.

Recommendation: That an endeavour should be made to persuade the Turks to abandon the claim, and that if they insist, and give good reasons, "le cours" should be accepted.

Article 3: (1) *Syria.*

The Turks propose the addition of the words "qui reste entièrement en vigueur avec toutes ses annexes" with reference to the Franco-Turkish Agreement of the 20th October, 1921.

Observations: It was pointed out that in an article dealing only with the frontier of Syria the reaffirmation of the Angora Agreement was out of place, quite apart from other objections which might be raised to the ratification here of the treaty itself and all its annexes.

Recommendation: That the addition of the words proposed by the Turkish delegation should be absolutely refused.

Article 3: (2) *Irak.*

Recommendation: That the Turkish counter-draft should be accepted subject to an attempt by the British Government to shorten the interim period to three or six months from the coming into force of the treaty, and adding some safeguarding phrase regarding the maintenance of the *status quo* during the interim period.

Article 5.

The Turks wish to delete the first sentence in the second paragraph giving discretion to the Boundary Commissions.

Observations: As the Syrian frontier is already delimited, and special arrangements either between the British and Turkish Governments or by the League of Nations can be made later as regards the delimitation of the Irak frontier, the treaty really only deals with the delimitation of the East Thracian frontier where there is no new line to be laid down on the ground.

Recommendation: That the Turkish proposal should be accepted subject to the omission of the words "et (3)" in the first sentence of the article

Article 12.

The Turks propose to add the words "et des îlots de Merkeb dépendant de cette dernière" after the word "Tenedos"

Observations: These islands are small islands in the channel between Tenedos and the mainland, and are usually marked on the map under the Greek name of Gadaro.

Recommendation: That the addition should be accepted, provided the necessary drafting alterations are made in article 14 and an addition made in the main treaty by reference to article 4 of the Straits Convention to apply autonomy to these islands and to ensure their demilitarisation, &c.; like Tenedos.

That the name Merkeb should be replaced by the title Merkeb (Gadaros).

Article 15.

The Turks propose the maintenance of Castellorizo under Turkish sovereignty.

Observation: The cession of Castellorizo to Italy was accepted by the Allies during the conferences which preceded the signature of the Treaty of Sèvres, and that as there are no Turks on the island it can well be argued to the Turkish delegation that it does not fall within the territorial demands of the National Pact Tenedos and Imbros have been left to the Turks for strategic reasons in connection with the Straits, and the arguments which apply to them do not therefore apply to Castellorizo

Recommendation: That no concession on this point should be made to Turkey.

Article 16.

The Turks wish (1) to suppress the second paragraph recognising the mandatory and other régimes outside their new frontiers; (2) to add a paragraph reaffirming the article of the Angora Agreement relating to the special régime for the Turks of Alexandretta; and (3) to add a paragraph leaving them the sovereignty over Ada Kala in the Danube.

Recommendation: (1) An attempt should be made to maintain this paragraph, if necessary by some other formula which the jurists are to draft; (2) should be refused; (3) the precise status of Ada Kala should be examined by the jurists, but the concession, in any case, should be refused.

Article 19.

The Turks change the words "nés ou domiciliés" to "nés et domiciliés." Secondly, they add a paragraph giving Turks in Cyprus the right to opt for Turkish nationality under the nationality section of the treaty.

Recommendation: The change should be refused, and the addition only accepted, if the British Colonial Office find it administratively practicable to grant such a right of option a second time (it has already been given during the war, and the time limit has now expired).

Article 20.

The Turks change the words "au Sultan de Turquie" to "à l'Empire ottoman.

Observations: The Italian experts point out that both the Allied draft and the Turkish counter-draft omit the words "et des actes y relatifs," which the Allies at Lausanne agreed to insert after the words "1912." They cannot accept the Turkish change

Recommendation: That the Allied draft should be maintained with the insertion of the words "et des actes. . . ."

Article 21

The Turks make some drafting changes.

Recommendation: That it should be left to the jurists to decide if these changes can be accepted.

Article 25.

The Turks change the word "spirituelles" to "religieuses" in the last paragraph, and insert after it the words "exercées en dehors de la Turquie par."

Observations: The word "religious" might be held to cover such semi-administrative functions as the nomination of "cadis," &c., and the words inserted might be held to limit the spiritual relations of the heads of the Christian churches outside Turkey over their flocks inside Turkey.

Recommendation: That an endeavour should be made to retain the Allied draft, but that the jurists should consider whether the paragraph might be redrafted Possibly the insertion of the words "établis en Turquie" might be inserted between the word "spirituelles" and the words "des diverses croyances." The Italian delegation point out that any change in the Allied draft of this article in a sense desired by Turkey must depend on the maintenance of the Allied draft of article 20.

Article 26.

The Turks change the words "sont d'accord pour abroger" to "déclarent complétement abrogées" and they add the words "ainsi que le système économique et financier résultant des capitulations" at the end of the first paragraph. They also omit the last paragraph which binds to the main treaty the special Convention for the Régime for Foreigners in Turkey.

Observations: The intention of this article is (*a*) to obtain a complete declaration as to the abolition of all the Capitulations in the main treaty; (*b*) to use words implying that this abrogation dates from the unilateral act of Turkey in 1914; and (*c*) not to tie up in any way the special convention with the Capitulations. (*b*) might have the practical and prejudicial result of justifying a Turkish claim for such acts as the retroactive payment of taxes, &c., by Allied companies in Turkey

Recommendation. The words "déclarent complètement abroger" might be accepted by the Powers, but certainly not the word "abrogées." The suppression of any reference in this article to the special convention might also be admitted.

Article 27.

The Turks add a paragraph providing for the maintenance of their Turkish nationality by Moroccans and Libyans established in Turkey, who have already acquired it.

Recommendation: The paragraph can be accepted if the words "à leur demande" are inserted after the word "acquis."

N.B.—The French experts wish to redraft the words "Les ressortissants . . . . français" to read "Les Marocains ressortissants français."

Articles 129 *and* 130.

The Turks suppress the last sentence of the first paragraph, and the other three paragraphs of article 129 and the first two paragraphs of article 130, and substitute a unilateral declaration by Turkey to be attached to the treaty regarding the nomination of three European medical specialists for five years to act as advisers of the Turkish sanitary administration as Turkish officials.

Recommendation: The Turkish omissions and the declaration might be accepted in principle provided the words "choisis sur une liste de six noms établie de concert par le Comité d'Hygiène de la Société des Nations et par l'Office international d'Hygiène publique" are inserted after the word "Européens" in the Turkish draft declaration, and some sentence is added as to the "traitement" and the conditions of service being agreed between the above two bodies and the Turkish Government. The second paragraph of article 130, which, if suppressed, would permit the Turks to subject infected ships touching at ports in the Straits to purely Turkish requirements, in the place of international rules, should be maintained. It is also a matter for consideration whether the Allies would eventually allow the Turks, under the modifications proposed, to retain under the last sentence of the first paragraph of article 131 the substantial residue of the money belonging to the Constantinople Board of Health, *i.e.*, money originally raised from all nations for the purposes of international sanitary control.

Article 144.

The annex to this article inserted by the Turks represents the offer made to the Turks by the British delegation, who drafted it in agreement with them. The British experts now wish to redraft paragraph 6 in such a way as to prevent unnecessary restrictions being imposed on visitors to the Anzac area.

Articles 152 *and* 153

The Turks wish to suppress these two articles, which provide a bill of indemnity for the administrative, judicial and other acts of the Allied occupying authorities and their nationals, &c., since the armistice. They propose to substitute a declaration which more or less covers Allied official acts, but not the acts of private Allied nationals and companies.

Recommendation: The proposal of a declaration instead of articles might be accepted in principle, but it is absolutely essential that it should cover the case of private individuals, &c., and all the categories of acts mentioned in the two articles.

Articles 154 *and* 155

The Turks have shortened and redrafted these articles dealing with the surrender of archives, Wakuf documents, &c., relating to the detached territories.

Recommendation: That the jurists should examine the Turkish proposals and decide if they can be accepted as they stand or if they require amplification.

Article 156.

The Turks have suppressed this article, which provides for their recognition and acceptance of the Arms Traffic Convention and other similar conventions which may be made in the future between any or all of the other high contracting Powers or between them and any other Power.

Observations: The Arms Traffic Convention of 1919 has not been ratified by any of the Allied Powers or by the United States Government, but the former have agreed among themselves to apply certain of its provisions. The article has not been discussed with the Turks.

Recommendation: That the text of the Arms Traffic Convention should be communicated to the Turkish delegation and explained to them, and an attempt then made to persuade them to accept it.

Article 157.

The Turks substitute an article which provides for reciprocal recognition of prize court decisions relating to ships and goods up to the armistice of 1918, and for the restitution to their owners of ships under the Turkish flags seized since that date.

Observations: The second paragraph of the Turkish draft would provide for the surrender by the Allies of ex-German ships flying the Turkish flag seized since the armistice, as well as for the annulment of certain prize court decisions taken with regard to some small Turkish vessels seized by the Allies since the armistice, especially during the operations in the Gulf of Ismid in 1920.

Recommendation: The Turkish draft can be accepted if the words "sous pavillon turc" are changed to "Turcs," and if some safeguard is introduced regarding prize court decisions since the armistice. It was agreed that details should be obtained regarding the latter before the resumption of negotiations at Lausanne.

Article 159.

The Turks suppress this article, which provides for the accession of Belgium, Poland, Portugal and Czechoslovakia to the financial and economic sections of the treaty, and thereby the restoration of peace between Portugal and Turkey.

Recommendation: That every endeavour should be made to maintain the Allied draft article in the interests of the Allied Powers concerned.

Note.

The Turks propose the addition of three articles to this part dealing (1) with the rights of the Wakfs in Serbia and in Greece, including the islands; (2) real property rights in the same territories; (3) certain extensions of article 10 of the Exchange of Populations Convention regarding the rights of Moslems who have emigrated from Greece since 1912 but still retain property there.

Observations: As regards the first of these articles, it was pointed out that the Turks had requested during the minority discussions at Lausanne that some stipulation should be inserted in the treaty by which the Balkan States, including Serbia, should be bound to give Turkey reciprocal treatment as regards minorities, &c., in Serbia. It was explained *ad nauseam* to the Turkish delegation that this was impossible owing to the existence of a Serbian minority treaty, and the Serbian representatives absolutely refused to consider the point. The Turks are now trying to get the idea back into the treaty. They also ignore the existence of a Greek minority treaty where Wakf property is fully safeguarded.

Recommendation: That the above explanation should again be given to the Turks at Lausanne and the article refused.

As regards the second article, the matter is mainly one for the Greek delegation to decide, and it was agreed that they should be consulted.

As regards the third article, it was agreed that, since some assurances had been given to the Turkish delegation in the discussions of the Exchange of Populations Convention and in the discussions of the Minority Treaty that the Turkish claim was not entirely unreasonable, the Turks should be allowed to raise it again at Lausanne, but that in all probability it would be necessary to reject it after discussion, and that, in any case, the Greek delegation would require to be consulted

N.B.—In so far as the first two of the new articles affect the islands ceded to Italy, the Italian delegation, who are consulting the Governor of Rhodes, will be in a position to give a decision at Lausanne.

Note 2

Ismet Pasha's covering note to the Turkish counter-draft of the treaty recalls that on the conclusion of peace, interned Turkish men-of-war and arms and

ammunition under Allied guard must be restored to Turkey. Ismet claims that the justice of this demand was recognised by the Allied delegations at Lausanne and that an additional treaty declaration binding the Allies in this respect was decided upon. Presumably, therefore, the Turks may ask for the latter.

Observations: As regards war material the Turkish contention is baseless. On the 10th January, as regards war material under British guard, His Majesty's Government decided that it was "undesirable that it should in any circumstances come into possession of Turks," and that the rifle belts, machine-gun blocks and breech blocks in Tash Kishla barracks should be removed to Malta as soon as possible and machine-guns and rifles at Matchka similarly dealt with if possible. The question of the Allied rights in the material and its eventual disposal was to be arranged subsequently in consultation with the Allies.

On the 24th January Ismet Pasha protested in writing at Lausanne against the above proceedings and was informed by Lord Curzon in a note drafted after consultation with the Allies that all the material was surrendered under article 20 of the Mudros Armistice, was not guarded for Turkish benefit and was completely at the disposal of the Allies to do as they liked with. As far as is known, this was the position at the end of the conference.

As regards the interned warships, as there is no article in the treaty about their surrender, the Allies might be prepared to hand them back to Turkey on the conclusion of peace.

Recommendation: It was agreed that the interned warships might be returned to Turkey on the conclusion of peace, and that the Allied Governments should decide nearer the time of their evacuation what action should be taken as regards the war material at Constantinople. In any case if any of it was given to the Turks, no declaration should be made to the Turks about it.

Thracian Frontiers Convention.

The Turks desire to add an article providing for running rights, &c., over the section of the railway between Koulèli Bourgaz and the Bulgarian frontier.

Observations: A similar stipulation was included in the 1917 settlement with Bulgaria when the territory in question was ceded to Bulgaria by Turkey, but the proposal made in the first paragraph regarding joint Turco-Greek control is probably impracticable and it may be better to substitute neutral or League of Nations control.

Recommendation: That the addition should be accepted in principle subject to any redrafting necessitated by expert examination at Lausanne in consultation with the Greek and Turkish delegations.

Draft Convention regarding the Régime for Foreigners in Turkey.

General Observations

In his covering note to the Turkish counter-proposals, Ismet Pasha explains that the modifications introduced into the convention are inspired by the fact that the Capitulations are definitely abolished, that further relations between Turkey and the Allied Powers must be in conformity with general international law as followed Turkish independent nations, and that consequently the conditions which are to govern the entry and residence of subjects of one State in the territories of another, their fiscal régime and their judicial position before the courts must be based on reciprocity or reciprocal most-favoured nation treatment. Ismet Pasha claims that the original Allied draft took no note of the above principles.

During the discussions at the committee upon the draft convention, it was pointed out that the whole question of reciprocity had been fully debated at Lausanne between the experts. During these debates the difficulty of providing for reciprocity in a convention to which many States with quite different domestic legislation were parties, was fully explained to the Turks. Examples of these difficulties are, for instance, in France the prohibition on foreigners becoming *avocats*, and in England the post-war legislation which differentiates between other foreigners and ex-enemies, and excludes the latter from establishing and controlling banks, from becoming members of a crew of a British ship, and from engaging in metal industries.

It was generally agreed, however, that if any general convention were to be signed with the Turks it was essential to apply reciprocity as far as possible in the convention, and that for this purpose each article of the convention should be

discussed separately and that it should be decided whether in practice reciprocity could be accorded as regards each such article. In some cases it was considered desirable that while the article might contain some statement as to the concession of reciprocity in principle, the detailed application of reciprocity should be expressly left over in the article to separate ulterior negotiations between Turkey and each of the other contracting parties.

Title and Preamble.

The Turks wish to change the title of the convention from "Relative au régime des étrangers en Turquie" to the words "Relative à l'établissement et à la Compétence judiciaire entre la Turquie et les Puissances alliées."

Recommendation: That the Turkish title should be accepted subject to the omission of the words "entre la Turquie et les Puissances alliées."

In the preamble the Turks wish to change the word "fixer" to "régler" and to redraft the latter part of the second paragraph of the preamble as follows: "Les conditions d'établissement des ressortissants de l'une des parties contractantes sur les territoires de l'autre, ainsi que la question de la compétence judiciaire."

Recommendation: That the Turkish draft might be accepted subject to the substitution of the words "de leurs ressortissants" for the words "des ressortissants," and the omission of the words "de l'une des parties contractantes sur les territoires de l'autre."

Article 1.

The Turks wish to suppress this article.

Recommendation: The suppression might be accepted if a satisfactory redraft of article 26 of the treaty is accepted by the Turkish delegation.

Chapter 1.—"*Conditions d'Accès et de Séjour.*"

Article 2.

In the first paragraph the Turks wish to suppress the provision against discrimination as between Turks and foreigners and to make one other drafting change.

Observations: It was agreed that reciprocity might be given in the case of this article as between Turkey and each of the Allied States, but not as in the Turkish formula, which would bind each Allied country to give reciprocity in this matter not only to Turkey but to the other high contracting parties.

Recommendation: That the jurists should be left to redraft the Turkish text so as to provide for reciprocity. It was suggested that, for instance, the words "et sur les territoires de chacune des autres Puissances contractantes, les ressortissants turcs" should be inserted after the word "contractantes" in line 3.

The Turks wish to add a paragraph providing that the article does not prejudice the right of Turkey freely to authorise or prevent immigration into Turkey.

Observations: It was felt impossible to accept Turkish right completely to prevent immigration, although in practice it was realised that this was probably mainly aimed against the Greeks or against the immigration of any large masses of foreigners.

Recommendation: That the Turkish text should be redrafted by the jurists, substituting the words "de réglementer" for the words "d'interdire," and adding some such phrase as "après entente avec chaque Puissance intéressée."

Article 4.

The Turks wish to omit the last paragraph of the Allied draft which safeguards foreigners against discrimination as between Turks and foreigners, and to redraft the second paragraph in such a way as to enable them to reserve any Turkish professions or industries to Turkish nationals alone.

Observation: This article raises in an acute form the difficulty as to reciprocity, to which reference has already been made in the above observations on the convention. In any case, it is impossible to leave Turkey complete right to reserve her industries, &c., to her own nationals and thus at any given moment to prejudice the acquired rights of foreigners who are already employed in professions or industries in Turkey.

Recommendation: That the second paragraph of the Turkish draft should be redrafted to provide for the respect of the rights respectively acquired by the nationals of the different high contracting parties in Turkey and to stipulate that special conventions should subsequently be negotiated between Turkey and each of the interested Powers on the matter. The last paragraph of the Allied draft should be maintained.

Article 5.

The Turks wish to make several drafting changes in this article, to exclude, for instance, from its benefits foreign companies working in Turkey who are actually constituted in a foreign country other than that of the nationals which compose it, and generally to provide that foreign companies working in Turkey should be submitted to Turkish laws. They also suppress the sentence in the Allied draft which safeguarded against discrimination between foreigners and Turks.

Observations: The representatives of the British Board of Trade stated that in the last resort they would be prepared to accept the Turkish draft subject to the retention of the last sentence of the Allied draft beginning "Elles jouiront." It was generally felt, however, that every endeavour should be made to redraft the article on a reciprocal basis and to obtain the substance of the original Allied draft.

Recommendation: It was agreed to proceed accordingly.

Article 6.

The Turks wish to substitute the words "aux lois relatives au service militaire" for the words "aux lois militaires."

Recommendation: That this modification might be accepted, and that if necessary reciprocity might be given as regards this article.

Article 7.

The Turks have not changed this article, but as it will probably be desired to extend reciprocity to each article in the convention separately, as suggested in the general observations on the convention given above, it was felt that at any rate the second paragraph of this article might have to be changed, as none of the Allied Governments would wish to be bound to pay for the transport of foreign deportees to their destinations.

Recommendation: That this article should be examined by the jurists and compared with other similar articles, *e.g.*, in the German-Swiss Consular Convention. The words "à la frontière" might, for instance, be substituted for the words "au lieu de destination."

Article 8.

The Turks wish to make some drafting changes in this article.

Recommendation: That on the supposition that each article is redrafted to provide for reciprocity, the Turkish draft might be accepted.

Article 9.

The Turks wish to suppress this article.

Recommendation: That on the supposition that reciprocity is to be provided as far as is practicable in each article, the suppression of this article, as proposed by the Turks, might be accepted.

Article 18.

The Turks wish to add at the end of this article the words "à condition qu'ils soient domiciliés dans le pays dont ils sont ressortissants ou en Turquie."

Observations: It was pointed out that as regards the Turkish addition and the question of reciprocity, a difficulty arose owing to a "domicile" being the criterion in England as regards the matters dealt with in this article, while nationality is the criterion in France. In any case the words could only be held to apply as regards "caution," and not as regards "l'accès aux tribunaux."

Recommendation: That reciprocity might be accepted as regards this article provided the words "domiciliés dans le pays dont ils sont ressortissants ou" are suppressed.

Article 19.

The Turks wish to omit the words "réelle ou" in paragraph (1), and to suppress certain words in the second paragraph.

Observations: Reciprocity can be accorded as regards this article, but it was agreed that it would not be possible to omit the words "à défaut des stipulations contraires entre les parties" in the second paragraph, which covered the question of *causes promissoires* which is provided for in the Allied draft judicial declaration.

Recommendation: That the Turkish modification of the first paragraph might be accepted, but that the Allied draft in the second paragraph should be maintained, and that the article should be redrafted to cover the question of reciprocity.

Article 20.

The Turks wish to make several changes, notably, one which is designed to prevent commercial and other cases, justiciable under the other articles in the treaty by Turkish courts, being taken out of the jurisdiction of the Turkish courts owing to incidental questions of personal status being raised in the course of the proceedings. They also wish to have questions of heredity and testament regarding immovable property decided by Turkish courts.

Observations: It was agreed that while the Turkish claim regarding the points of incidental personal status questions arising in other cases was reasonable, the whole question would have to be discussed between experts in Turkish law and Munir Bey at Lausanne, and that it would again have to be explained fully to Munir Bey that reciprocity in these matters of personal status cannot be accorded.

Recommendation: That the article should be discussed as above with the Turkish delegation, and that the drafting change made in the last paragraph of the Allied draft by the Turks might be accepted, but that reciprocity cannot be given.

Article 21.

The Turks have inserted a paragraph which would enable Turkish courts to try offences committed on the territory of a third State, but which might, in virtue of Turkish laws, fall within the competence of Turkish tribunals.

Observations: It was pointed out that while the laws of some foreign countries might allow this modification to be accepted, English law does not permit it.

Recommendation: It was agreed that the article should again be explained to the Turkish experts, and the suppression of the above amendment insisted upon.

Article 22.

The Turks desire to suppress this article, which is designed to attach to the convention the judicial declaration and also to lay down that foreigners in Turkey will be assured, with regard to their persons and goods before Turkish courts, treatment in conformity with the principles and methods generally followed in other countries.

Recommendation: It was agreed that, in order to meet the Turks, it might be possible to suppress the words from "amener" to "justice," inclusive, but that the rest of the article must be maintained, and that it might be pointed out that it was simply in conformity with declarations which Ismet Pasha had continually made at the meetings of the conference at Lausanne.

Article 23.

The Turks wish to suppress the words "imprisonment for debt."

Recommendation: It was agreed that the explantion of this suppression should be obtained from Munir Bey at Lausanne, and a decision taken in the light of his arguments.

Article 24.

The Turks wish to suppress this article, which provides for the free functioning of religious, educational and charitable establishments, as well as hospitals, &c., directed by persons, communities or associations nationals of the other contracting Powers, and also provides for the special arrangements regarding the creation of similar new establishments. In its place they propose to substitute a unilateral declaration to be attached to the convention recognising that educational and philanthropic works as well as aid societies recognised as existing in Turkey before

the 30th October, 1914, and belonging to France, Great Britain or Italy should continue to exist.

Observations: The Turkish draft declaration is not nearly wide enough. It does not cover all the institutions referred to in the Allied article. It puts the date back to the 30th October, 1914, and it suppresses the principle of the negotiation of agreements regarding the foundation of new establishments.

Recommendation: That the principle of a declaration attached to the convention should be accepted, but that the declaration must be redrafted to cover all the substantial points in the original Allied article, and probably extended to include the American schools.

Article 25.

The Turks wish to suppress this article, which provides for the adherence to the present convention of non-signatory Powers (such neutrals as Sweden, Holland, &c., who were represented at Lausanne).

Recommendation: That an endeavour should be made to retain the article, but that it might be redrafted in some such way as follows: "il appartiendra à la Turquie de s'entendre avec les autres Puissances signataires," &c.

The Turks have added an article to the convention regarding reciprocity.

This article is, in any case, inacceptable in some respects, because it included *en bloc* in the territories of the contracting Powers all their colonies, dominions, protectorates, &c., whereas, in the case of the British Empire, each dominion, &c., would require to be treated separately. As a matter of fact, the article will not be required if, as is suggested, reciprocity should be given, where possible, specifically in each article throughout the convention.

Article 26.

The Turks add some words limiting the duration of the whole convention to five years.

Recommendation: That the principle of such a limited duration of the convention should be accepted, but that every endeavour should be made to extend it from five years to ten.

Draft Declaration regarding Justice in Turkey.

The committee considered the following counter-draft prepared by Sir H. Rumbold and Mr. Ryan at Constantinople since the departure of the Turkish delegation from Lausanne. This counterdraft is an attempt to reconcile Ismet Pasha's counterdraft of the 4th February (including the insertions proposed by Signor Montagna to Ismet Pasha on the 4th February) with the Allied draft declaration of the 3rd February:—

1. La délégation turque a déjà eu l'occasion de faire connaître que le Gouvernement de la grande Assemblée nationale de Turquie est en mesure d'assurer aux étrangers devant les tribunaux toutes les garanties d'une bonne justice et qu'il est à même d'y veiller dans le plein exercice de sa souveraineté et sans aucune intervention étrangère. Il n'en est pas moins disposé à faire procéder à des enquêtes et études pour introduire telles réformes que justifierait le progrès des mœurs et de la civilisation.

2. Dans cet esprit, la délégation turque tient à faire la déclaration suivante:

3. Le Gouvernement turc se propose de prendre incessamment à son service, pour la période qu'il jugera nécessaire et qui ne sera pas inférieure à cinq années, des conseillers légistes européens, qui seront choisis sur une liste dressée par la Cour permanente de Justice internationale de La Haye parmi les jurisconsultes ressortissants des pays n'ayant pas participé à la guerre de 1914-18, et qui seront des fonctionnaires turcs. Les conditions de service et le traitement de ces conseillers légistes seront fixés d'un commun accord entre le Gouvernement turc et la Cour permanente de Justice internationale.

4. Ces conseillers légistes dépendront du Ministre de la Justice. Ils participeront aux travaux des commissions de réformes législatives et seront spécialement chargés de suivre dans les régions comprises dans les circonscriptions judiciaires des Cours d'Appel de Constantinople et Smyrne le fonctionnement des juridictions civiles, commerciales et pénales turques, de rapporter que des actions, appels ou pourvois en cassation ou revision soient introduits par le Ministère public contre les actes ou décisions qu'ils ne jugeraient pas conformes au droit, et de recevoir toutes plaintes auxquelles pourraient donner lieu soit l'administration de la justice civile, commerciale

ou pénale, soit l'exécution des peines, soit l'application des lois, avec mission d'en rendre compte aux autorités turques compétentes à l'effet d'assurer la stricte observation de la législation turque.

5. Les visites domiciliaires, perquisitions ou arrestations, sauf dans le cas de flagrant délit, auxquelles les autorités turques dans les circonscriptions judiciaires ci-dessus mentionnées auraient à procéder dans les affaires ci-dessus visées, seront pratiquées d'accord avec lesdits conseillers.

6. Dans les matières correctionnelles, la mise en liberté sous caution devra toujours être prononcée, à moins que la sécurité publique n'en fût de ce fait compromise, ou que la mise en liberté provisoire n'entravât la bonne marche de l'instruction de l'affaire.

7. Tous compromis et clauses compromissoires en matière civile ou commerciale sont permis et les décisions arbitrales ainsi rendues seront exécutées sur le visa du président du tribunal de première instance, qui ne pourra refuser son visa qu'au cas où la décision serait contraire à l'ordre public.

8. La partie de la présente déclaration concernant les conseillers légistes et les fonctions qu'ils auront à exercer sera valable pour une durée de cinq ans, à moins que le Gouvernement turc ne juge nécessaire de prolonger la période de leur service.

Subject to the amendments given below, the draft was accepted as that to which the inviting Powers should base all their endeavours to secure the assent of the Turkish delegation.

In paragraph 3 the words "qu'il choisira" should be substituted for the words "qui seront choisis"; the words "engagés comme" should be inserted after the word "seront."

Draft Amnesty Declaration

Article 2

The Turks insert the words "ou militaire" after the word "politique."

Recommendation: No objection.

Article 3.

The Turks wish to add a paragraph providing for the surrender to the Turkish Government on the signature of peace of all Turkish nationals arrested or prosecuted in occupied Turkey by the Allies for political, military or common law offences, &c., or for any other reason taken away from Turkey."

Observation: The article is drafted in such a way as to provide even for the surrender of Turks arrested for attacks on the Allied troops of occupation since the armistice and for the surrender of Turks who have helped the Allies or whose departure for any reason from Turkey has been arranged by the Allies, *e.g.*, the ex-Sultan and his entourage. It also covers, as drafted, even the territories to be detached from Turkey by the treaty.

Recommendation: That the addition should only be accepted if it is limited to the new Turkey and to the period up to the armistice of Mudania; if the word libérés" is substituted for the words "restitués au Gouvernement turc" and the words "mise en vigueur" for "signature."

Article 5.

The Turks wish to omit the words "le Président de" at the end of this article.

Observations: As the president is always present at The Hague, there might be delay if the choice of the *surarbitre* was left, not to the president, but to the whole court.

Recommendation: That this should be explained to the Turks and that they should be asked to accept the Allied draft.

The Turks also wish to add a protocol to the declaration, providing for the exception of 150 Turks from the amnesty.

Observation: This addition was accepted in principle in the discussion of the Minorities Sub-Commission at Lausanne, but it was not to be inserted in the declaration or appear in the treaty settlement, but to be arranged in an exchange of notes between the Turkish and Allied delegations. This procedure was adopted in order to avoid the appearance of only a partial amnesty and not to give occasion for a demand by the Greek delegation for a similar exception to the Greek amnesty.

Recommendation: The substance of the Turkish draft protocol should be arranged by an exchange of notes outside the treaty, as proposed at Lausanne. The

last paragraph of the protocol should also be redrafted to give twelve months instead of six months for the voluntary liquidation of their property by the deportees, and for the surrender to the latter by the Turkish Government of the proceeds of the liquidation, should this be carried out after the twelve months' period by the Turkish Government.

Foreign Office, March 26, 1923.

[E 3280/1/44] No. 506.

Turkish Economic Sub-Committee.—(Communicated by Board of Trade, March 26; *received March* 27.)

THE Economic Sub-Committee held six meetings at the Board of Trade and discussed, in the light of the Turkish observations and counter-proposals, the Lausanne draft of the Allied economic proposals, together with Chapter II of the draft Convention respecting the Régime applicable to Foreigners in Turkey and the draft Convention respecting the Commercial Régime with Turkey. The following representatives were present at the various meetings:

Thursday, March 22.

British Empire	... ...	Mr. Payne.
		Mr. Fountain.
		Mr. Waley.
Italy	. .	M. Nogara.
France	... ...	M. Bargeton.
		M. Bexon
Japan	... .	Mr. Sato.

Friday Morning, March 23.

British Empire	... ...	Mr. Payne.
		Mr. Fountain.
France	..	M. Bargeton.
Italy	... ...	M. Nogara.
Japan	... .	Mr. Sato.

Friday Afternoon, March 23.

British Empire	... ...	Mr. Payne.
		Mr. Fountain.
France	... ...	M. Bargeton.
Italy	... ...	M. Nogara.
Japan	... ...	Mr. Sato.

M. Bompard (France) was present during part of the discussion.

Saturday Morning, March 24.

British Empire	... ...	Mr. Payne.
		Mr. Fountain.
		Mr. Forbes Adam.
		Mr Vernon.
France	... ...	M. Fromageot.
		M. Bargeton.
		M. Bexon.
Italy	... ...	M. Nogara.
Japan	... ...	Mr. Sato.

M. Bompard (France) and M. Montagna (Italy) were present during part of the discussion.

Saturday Afternoon, March 24.

British Empire	... ...	Mr Payne.
		Mr. Fountain.
France	... ...	M. Fromageot.
		M Bargeton
Italy	... .	M. Nogara.
Japan	... ...	Mr. Sato.

Monday, March 26.

British Empire	... ...	Mr. Payne.
		Mr. Fountain.
France	... ...	M. Bargeton.
		M. Fromageot.
Italy	... ...	M. Nogara.
Japan	... ...	Mr. Sato.

The following notes contain a record of the decisions of the sub-committee on all points. As a result of the discussions of the sub-committee, the economic clauses of the treaty have been considerably shortened and simplified; the points at issue between the Turks and the Allies are substantially reduced in number, though it is impossible to disguise the fact that on certain matters of importance, notably in regard to concessions dealt with in article 94, there is likely to remain considerable divergence of opinion.

There remain the following questions of a political character, which the sub-committee have considered outside their competence:—

Article 159 of the treaty provided for the adhesion to the economic and financial provisions of the Treaty of Belgium, Poland, Portugal and Czechoslovakia. This article the Turks propose to suppress.

Article 7 *of the Commercial Convention.*—The Turks, whilst giving the treatment guaranteed by the convention to the four principal Allies, propose to limit its operation to one year in the case of the other Allies.

Article 19 *of the Commercial Convention.*—This article permitted the adherence to the convention of non-signatory Powers. The Turks have proposed its suppression.

Turkish Economic Sub-Committee.

It was agreed that the Turkish proposal to leave the whole of the economic clauses (articles 71 to 117) for discussion outside the Treaty of Peace could not be accepted, and that the economic provisions could not be dealt with satisfactorily by clauses merely giving expression to general principles; they should be dealt with as far as necessary by detailed clauses, which should be simplified as far as possible.

The Turkish objections to the Allied draft proposals and the Turkish counter-proposals as disclosed at Lausanne were discussed.

It was agreed that the Turkish suggestion for the substitution of the 29th October, 1914, for the 1st August, 1914, might be accepted generally subject to any question arising in individual cases.

Article 71.—This article contains only definitions on which no question of substance is likely to arise.

Article 72.—This article provides for the mutual return of private property in Allied territory and in Turkey. It was agreed that the Turkish draft might be accepted as a basis, subject to the deletion of the provision for the return of the property of the Turkish State, of the Crown and of the Civil List. The reference to the property of companies under Allied control, objected to by the Turks, was eliminated from this article, sufficient provision being made in article 94.

Article 73.—The Turks demanded that this article, which provides for the search for private property seized and taken away, should be made reciprocal. It was agreed that the article should be modified by giving qualified reciprocity by the insertion of some such phrase as: "In relation to any country which is prepared to give her reciprocity in this respect. . . . . ."

Article 74.—This article provides for the restoration of private property in territory detached from Turkey by the treaty. The Turks requested that it should apply to property of the Turkish State, the Civil List, the Crown and the Hedjaz Railway. It was not considered possible to meet the Turks in this respect, but it was agreed that article 74 should be suppressed, subject to the addition of a few words in article 71 to give effect to article 74. The Hedjaz Railway would, it was assumed, be dealt with in accordance with M. Bompard's declaration at Lausanne.

Article 75.—The Turks demanded the suppression of the whole article. It was agreed that the first paragraph, providing for the repayment of taxes levied during the war which were not authorised under the capitulatory régime, should be waived, but the second paragraph, which provides that payment should not be exacted of

taxes which had not been paid during the war, should be retained with the necessary consequential drafting amendments.

Article 76.—It was agreed that this article, which provided for compensation being paid to Turkish owners of property which is not returned, should be suppressed. A new provision should, however, be inserted in article 72, providing that, instead of restitution of property which can be identified, the contracting Powers might discharge their obligations in this respect by payment over, within a stipulated period of time, of the proceeds of liquidation, plus any amount awarded by the mixed arbitral tribunal on the ground that the circumstances under which the sale was conducted were such as to prejudice the realisation of a fair price. The Japanese representative thought that his Government might desire to make a separate arrangement with the Turkish Government for the mutual waiver of all claims, including those under article 72.

Article 77 was adopted, having been accepted by the Turks.

Article 78.—The object of this article was to keep alive claims which had arisen before the war. It was agreed to accept the Turkish redraft, which is in reciprocal form, subject to it being made clear that the Angora Government accept the liabilities of the old Ottoman Government.

Article 79 was suppressed.

Article 80.—This article provides for the payment by the Turkish Government to companies in which Allied interests are preponderant of compensation in respect of losses resulting from acts of war or any act or omission of the Turkish Government. It was agreed that this article could be suppressed, but that a paragraph should be inserted in article 94, which deals with concessions, providing that in the readaptation of the terms of concessions account shall be taken of such losses.

Article 81.—This article provided for the liquidation of property in Turkey belonging to Germany, Austria Hungary or Bulgaria, or their nationals, those countries having agreed in the respective treaties of peace to recognise any provisions made in the Treaty of Peace with Turkey. The article as drafted was somewhat far-reaching, and it was agreed to substitute for the article provisions confirming all liquidations or seizures by the Allied Government of ex-enemy property, whether Government or private.

Contracts. Prescriptions and Judgments.

Article 82.—This article provides for the maintenance of certain specified classes of pre-war contracts between enemies. It was agreed that the classes of contracts enumerated in article 82 of the Allied proposals should be divided into two categories. The first would contain (*a*), (*d*), (*e*), (*g*) and (*h*) with the existing provisions of article 82, which were accepted by the Turks as regards those categories. The second would contain (*b*), (*c*) and (*f*), to which the Turks objected. These latter classes of contracts would be incorporated in a new article, providing for their maintenance subject to readaptation by arbitration.

Article 83.—This article provides, by reference to an annex, for the method of dealing with insurance contracts. The Turks do not accept the provisions of the annex, and it is not possible to accept the counter-proposals made by the Turks. In these circumstances, it was agreed to suppress the clause and the annex, subject to the retention of article 86, which confirms compromises already effected between the parties to all contracts, and of the article which it is suggested should be substituted for article 84.

Article 84.—It was agreed to substitute for this article, which was objected to by the Turks, an article making contracts other than those specified in the previous articles the subject of future bilateral arrangements between Turkey and each Power concerned.

Article 85.—It was agreed that this article which was objected to by the Turks, could be suppressed.

Article 86.—It was agreed that this article, which confirms compromises, should be maintained as indicated above.

Article 87.—It was agreed to suppress this article subject to the part providing for the confirmation of contracts with the Imperial Ottoman Government since the 30th October, 1918, being dealt with under the Concessions clauses.

Article 88.—This article provides for the settlement of disputes with regard to pre-war contracts by the Mixed Arbitral Tribunal. The Turks objected, and it was agreed to suppress the article, arbitration having already been provided for in respect of contracts (*b*), (*c*) and (*f*) of the original article 82.

Article 89 was maintained with the modifications desired by the Turks in the second sentence.

Article 90 was maintained, having been accepted by the Turks.

Article 91, which provides for the revision of certain judgments of the Turkish courts during the war, was suppressed, as it is not possible to grant reciprocity, it being assumed that article 153, providing for the recognition of judgments of the tribunals of the occupying Powers, will be maintained.

Article 92 dealing with the sale of mortgaged property was suppressed. The Turks objected to the article, and their counter-proposal could not be accepted.

Article 93, which contains a definition of enemies, was accepted by the Turks and was maintained subject to certain necessary drafting alterations in paragraph 2.

The annex relating to insurance contracts was suppressed as indicated above.

Concessions.

Article 94.—This article dealing with concessions in Turkey provides for :—

1. The complete restoration of Allied nationals in their rights.
2. Confirmation of agreements relating to concessions before the 29th October, 1914, if they have begun to be put into operation, or had formed the subject of agreement between Governments, notwithstanding the absence of final confirmation.
3. The prolongation of concessions for a period equal to the duration of the war.
4. Account to be taken of any such prolongation in assessing compensation or in the readaptation of the concession.
5. Readaptation of concessions to accord with the new economic conditions.
6. Arbitration in default of agreement as to the readaptation.
7. Confirmation of agreements since the 30th October, 1918, with the Imperial Ottoman Government.
8. Maintenance of Allied subjects in their rights under concessions or licences, whether acquired directly or by transfer.
9. Avoidance of legislative or other provisions inconsistent with the above.

By article 100 it is provided that companies in which Allied interests are preponderant shall enjoy the benefits of article 94.

The Turkish representatives at Lausanne objected to this article, their main grounds of objection being stated to be :—

(*a.*) That to deal in the Treaty of Peace with the relations between the Turkish Government and Ottoman companies would be derogatory to Turkish sovereignty.

(*b.*) That they cannot undertake to confirm arrangements which were not definitely concluded before the war.

(*c.*) That any question of prolongation of a concession by way of compensation can only be settled by agreement between the parties.

(*d.*) That they cannot recognise any right to arbitration as to the readaptation of the terms of concessions unless it is provided for in the concession itself.

(*e.*) That as the Grand National Assembly has passed a law making void contracts by the Constantinople Government since the 30th October, 1918, they cannot recognise such contracts.

As regards (*a*), it was considered that in substance provisions must be included in the treaty to safeguard the rights of Turkish companies under Allied control, notwithstanding the Turkish objection, for concessions are invariably held by such companies. The Turkish difficulties might, however, be overcome to some extent by giving the names of the companies referred to in article 100 in an annex or in an exchange of notes.

As regards (*b*), it was agreed that the wording of the article should be maintained, but that the Turks should be eventually supplied with a declaration limiting the application of the article to specific cases.

As regards (*c*), it was agreed to omit paragraph 3 of the article, containing the specific provision for prolongation, together with paragraph 4 of the article, leaving the matter to be dealt with under more general terms in the provision for readaptation.

As regards (*d*), it was considered necessary to retain a provision for settlement of the terms of readaptation in default of agreement, but the reference to "arbitrators" should be altered to "experts," and a neutral technical authority should be substituted for the Permanent Court of International Justice.

As regards (*e*), it was agreed to amend paragraph 7 of the article by providing that such agreements shall remain in force until new agreements have been made between the parties interested.

It was also agreed to suppress paragraphs 8 and 9 of the article having regard to objections raised by the Turks to these paragraphs.

The effect of these alterations will be to reduce the length of the article, and to some extent to meet Turkish susceptibilities while maintaining the principle of recognition of the validity of concessions and their readaptation to meet existing economic conditions and to provide some compensation for losses suffered.

A provisional redraft of the article giving effect to the above decisions has been prepared by M. Fromageot and is attached to this report (Appendix I). This draft makes it unnecessary to retain article 80 or the special reference to companies under Allied control formerly appearing in article 72.

The question of allowing representatives of the concessionaires to endeavour now to negotiate with the Angora Government was mentioned at the meeting of the committee, but, as political questions were involved, the committee came to no decision on this point.

Article 95.—It was agreed that the article, which deals with the future ownership and working of the Anatolian and Bagdad Railways, should be left for further discussion with the Turks with a view, if possible, to some arrangement being reached with them outside the treaty.

Article 96.—This article provides for the rights of concessionaires in territories detached from Turkey. As the Turks did not object to the first paragraph and disclaimed any interest in the rest of the article it was agreed that it should be maintained.

Article 97.—In view of the Turkish objection to the date, it was agreed that the article should be suppressed.

Article 98.—The Turks objected to the article, and it was agreed to suppress it.

Article 99.—Accepted by the Turks, and it was agreed that the article should be maintained.

Article 100.—As stated in the observations with regard to article 94, it was agreed that this article, which provides for the recognition of the rights of Turkish companies in which Allied interests are preponderant, should be maintained, subject to the inclusion in an annex or in an exchange of notes of a list of the companies referred to in the article.

Article 101.—It was agreed to recommend the substitution of a draft prepared by M. Fromageot, providing for payment of pre-war debts in accordance with the terms of the contracts, instead of the existing provision for payment at the pre-war rate of exchange. A copy of this draft is attached (Appendix II).

Industrial Property.

Articles 102–106.—It was agreed that the articles be maintained as the Turks raised no objection.

Article 107.—It was agreed that this article, which provides for the recognition of registrations effected since the 30th October, 1918, should be maintained if possible. In the alternative a redraft should be prepared providing that fresh applications should be made, which, if accepted, should date back to the original registration without the payment of further fees.

Mixed Arbitral Tribunal.

Articles 108–111, which provide for the establishment and procedure of a Mixed Arbitral Tribunal, were maintained, having been accepted by the Turks.

Treaties.

Articles 112–115, providing for the adhesion by Turkey to certain treaties and conventions were maintained, no observations having been offered by the Turks.

General Provisions.

Article 116.—This article refers to the abrogation of the economic régime resulting from the Capitulations and to the proposed commercial convention. It was agreed, as regards the opening sentence, that the same formula be adopted as for article 26.

Article 117, which provides for the treatment of goods originating from or destined for Morocco (French zone), Tunis or Libya was maintained, subject possibly to some small drafting amendment.

Convention commerciale.

ARTICLE 94.

(Projet de nouvelle rédaction.)

Les contrats de concessions ainsi que les accords subséquents qui ont été conclus avant le 29 octobre 1914 par le Gouvernement ottoman et dont les ressortissants alliés ou des entreprises fonctionnant à l'aide de capitaux appartenant à des ressortissants alliés sont bénéficiaires, sont maintenus.

Leurs clauses seront, d'un commun accord, mises en conformité des conditions économiques nouvelles et revisées, s'il y a lieu, pour tenir compte des préjudices subis par les parties par suite de la guerre.

Au cas où cette revision ne suffirait pas à assurer la réparation de ces préjudices, il sera pourvu à cette réparation au moyen de versements en espèces ou d'avantages économiques équivalents accordés par le Gouvernement turc.

Faute d'entente dans le délai d'un an, les parties adopteront les modifications qui seront considérées, en ce qui concerne la réadaptation des concessions, comme convenables et équitables par deux experts qu'il leur appartiendra de désigner et qui s'en référeront, en cas de désaccord entre eux, à un tiers expert désigné par . . . .

Il appartiendra également aux experts de fixer le montant en espèces des compensations dues aux concessionnaires pour les préjudices qu'ils auront subis pendant la guerre et d'apprécier si les avantages économiques offerts par le Gouvernement turc sont suffisants pour compenser lesdits préjudices.

Les dispositions de l'alinéa précédent ne portent pas atteinte à la compétence des tribunaux turcs pour connaître des contestations qui s'élèveraient sur l'interprétation des clauses desdits contrats ou des modifications ci-dessus envisagées.

ARTICLE 94 *bis*.

Dans le cas où, parmi les contrats et accords visés à l'article 94, il en serait pour la régularisation desquels certaines formalités n'auraient pas été remplies depuis le 29 octobre 1914, ces contrats et accords seront néanmoins considérés comme réguliers et définitifs s'ils ont reçu un commencement d'exécution ou s'ils ont fait l'objet entre le Gouvernement ottoman et un Gouvernement allié, d'arrangements ayant eux mêmes reçu un commencement d'exécution.

ARTICLE 94 *ter*.

Les accords intervenus depuis le 30 octobre 1918 entre le Gouvernement ottoman et les bénéficiaires des contrats et concessions visés à l'article 94 demeureront en vigueur jusqu'à ce qu'une entente intervienne entre les parties intéressées.

Au cas où une entente n'interviendrait pas dans le délai d'un an à compter de la mise en vigueur du présent traité la revision desdits accords sera confiée à des experts désignés dans les conditions prévues dans l'article 94, alinéa 4.

ARTICLE 101.

(Nouvelle rédaction proposée.)

Les hautes parties contractantes sont d'accord pour reconnaître que les dettes exigibles avant la guerre, ou devenues exigibles pendant la guerre, et restées impayées par suite de la guerre, doivent être réglées et payées dans la monnaie et dans les conditions prévues aux contrats.

Cette disposition s'appliquera, notamment, aux dettes ci-dessus visées existant entre Gouvernements et ressortissants alliés et turcs respectivement.

Elle ne portera pas atteinte aux stipulations contraires qui, avant la mise en vigueur du présent traité, seraient intervenues à l'amiable entre les parties intéressées.

Le 26 mars 1923

Chapter II of the Convention d'Etablissement.

This chapter deals with the taxation of persons and companies, and is based on the general principle of national treatment in regard to taxation.

Article 10, which deals with taxation of persons, is accepted *in toto* by Turkey, and should be maintained.

Article 11 deals with taxation of companies. Two trifling verbal amendments have been introduced by Turkey which can be accepted. The Turks have, however, suppressed the reference to sociétés civiles, which should, if possible, be restored. The original Allied draft requires an amendment to bring it into line with the principles governing the taxation of companies in the United Kingdom and other Allied countries. For branches of companies to be taxed in respect of the business carried on in the country where the branch is situated, and not in respect of the whole business of the company, it is necessary that the central management and control should not be situated in the country where the tax is levied. To meet this there should be inserted after the words "étant entendu que" in the second paragraph some such words as "when the central management and control is outside Turkey."

Article 12 was framed to secure that Allied subjects should enjoy all bounties, exemptions and drawbacks accorded to Turks. The Turks have turned this into an article permitting Turkey a free hand in the matter. It was agreed that the claim to share in bounties might be abandoned, but that exemptions and drawbacks must be extended to Allied nationals, or otherwise the national treatment in regard to taxation might be nullified.

The words "ou attribue . . . . d'encouragement," "ou encouragements" and "de manière à . . . . desdits pays" should be suppressed.

Articles 13 and 14 are accepted by the Turks and should be maintained.

Article 15 relates to the treatment of charitable and religious foundations. The Turks have eliminated it, but would probably be prepared to embody the first paragraph in a declaration. The second paragraph deals with customs exemptions in favour of such foundations, and Turkey might be asked if she were ready to make some declaration on the subject.

Article 16.—The Turks have eliminated some words at the end and the Turkish version may be accepted, the words "et aux ressortissants," which appear to have been dropped by mistake, being, however, reinserted after the words "appliquera à ses ressortissants."

Article 17.—This is an article making the grant of the conditions in the previous article dependent on reciprocity. It is more satisfactory than the corresponding general article, which appears as a "disposition finale" in the Turkish draft, especially in regard to the position of Allied colonies, &c. It should, therefore, be maintained, but the Turkish preference for a five years' arrangement instead of one for ten years, if pressed, could be agreed to.

Generally speaking, it is not felt that the differences between Turkey and the Allies in regard to this chapter or in regard to the Commercial Convention need give rise to serious difficulty.

Commercial Convention.

SECTION I.

It was agreed that the modifications proposed by Turkey in articles 1–3 of this convention might be accepted, subject to an explanation being given of the phraseology of article 2.

Article 4.—In this article, which deals with the grounds on which prohibitions of importation or exportation can be maintained, the Turks have added two new clauses. One of these, relating to goods the subject of a monopoly, can be accepted. The other, which permits of prohibitions instituted to "prévenir les inconvénients graves menaçant son régime économique," is vague and apparently unnecessary, and should, if possible, be rejected.

Article 5. The conditions affecting consumption duties proposed in the Turkish counter-draft can be accepted. Similar conditions should, however, be insisted on in the case of internal duties in general and octrois as in the original Allied draft.

Article 6.—The changes proposed by the Turks are trifling and can be accepted, subject to a drafting amendment to which it is not considered that the Turks are likely to object.

Article 7.—The modifications proposed by the Turks can also be accepted so far as the four principal Allies are concerned, but as Turkey proposed to give the treatment guaranteed by the convention for one year only instead of five to the other Allies, the question has a political aspect, to which it is necessary to draw attention.

Article 8.—The Turks have insisted on a form of reciprocity as a condition of securing the advantages of the convention, which are unsatisfactory to France. It will be necessary to secure the adoption of some other form of words on the lines of the original Allied draft.

A new article has been inserted after article 8 dealing with certificates of origin. If possible modifications should be pressed for in this article in order to simplify the procedure. The reference to certificates of verification in the third paragraph should be eliminated, only the final sentence of this paragraph being retained with the substitution of "certificat d'origine" for "certificat de vérification."

Article 9.—There is no objection to the suppression of this article, the question of future treaty negotiations being dealt with in a new final article after article 19.

SECTION II

Article 10.—The Turks have eliminated two paragraphs in the Allied draft, of which the first relates to coasting trade in detached territories, and the second to the continuance temporarily of the rights to carry on coasting trade of a certain class of Allied company. The first of these need not be insisted on, but the second should be maintained, being, however, limited to undertakings engaged in the traffic before the war, and the temporary period might be reduced from five to three years.

Article 11 is practically unchanged and the Turkish draft can be accepted.

Article 12.—The Turks have added a phrase at the end providing reciprocally for the recognition of Turkish shipping documents. It is necessary to be sure that such certificates are issued under proper conditions, and the addition after the words bateaux turcs" should run "dans les conditions équivalentes à celles imposées dans les principaux pays maritimes," and the words "dans les mêmes conditions" should be added at the end.

Article 13 can be suppressed.

SECTION III

Article 14.—The alteration proposed by the Turks can be accepted.

Article 15 is accepted by the Turks.

Article 16.—The Turks are not prepared to accept the whole of the Copyright Convention. They cannot be forced to do so, but the words proposed by the Turks require to be modified, as they can only adhere to the convention under a reserve if the reserve is accepted by all the conventional Powers.

Article 17 is accepted by the Turks.

Article 18 deals with the position of Allied colonies, &c. The changes made by the Turks are obviously badly conceived, and it will be necessary to secure amendments in order to make the article acceptable.

Article 19 permits of the adherence to the convention of non-signatory Powers. It has been suppressed by the Turks, thus raising a question rather of a political than an economic character.

A new final article has been inserted here by the Turks and can be accepted.

Article 20 is a purely formal article, which the Turks accept.

Board of Trade, March 26, 1923

[E 3282/1/44] No. 507.

Report of the Financial Committee on the Turkish Counter-Proposals.—(Received in Foreign Office, March 27.)

INTRODUCTION.

(Translation.)

Financial Clauses.

Section I.—*Ottoman Public Debt.*

MOST of the numerous alterations proposed by the Turkish Government in this section are unimportant and unobjectionable. However, the experts desire to draw the particular attention of their Governments to the following proposals, which cannot be accepted: -

1. The Turks indicate that they propose to pay the service of the Ottoman Public Debt in a currency other than that provided for in the loan contracts.
2. They ask that the expenses of withdrawing Turkish paper money should be shared among the succession States.
3. They are not willing to include in the treaty provisions which impose upon them the obligation of assigning fresh revenues (if necessary) for their share of the debt (article 47).

Section II.—*Reparation.*

The experts draw particular attention to article 57 (Reparation). The British Government being unable to maintain the concession previously made, in accordance with which the British Government was to pay compensation for the seizure of Turkish battleships to be used for the satisfaction of reparation claims of Allied subjects, the whole question of reparation has again to be decided.

A decision will have to be taken as to whether a demand for reparation from Turkey should again be made.

On the one hand, it must be realised that the payment by the Turks of a sum to cover reparation claims, which had been entirely renounced on the 4th February last, will arouse the strongest objections on the part of the delegates of the Angora Government.

On the other hand, the sums transferred by Germany and Austria under articles 259 (4) of the Treaty of Versailles and 210 (4) of the Treaty of Saint-Germain do not exceed £T. 5,000,000 gold. This sum is quite insufficient to cover the settlement of the claims of Allied subjects. If it is desired that these subjects should receive a considerable measure of reparation, it would be necessary to return to the reparation scheme provided for by the draft treaty of the 31st January. The sum to be claimed from Turkey might be reduced to £T. 7,000,000 gold, which sum, when added to £T. 5,000,000 gold transferred by Germany and Austria and renounced by Turkey, forms a total of £T. 12,000,000 gold, a figure which had already been contemplated by the Allies at the last stage of the negotiations.

The matter is one to be decided by the Governments.

Turkish Reparation Claim from Greece.

Article 58 of the draft treaty, provides that Greece and Turkey reciprocally renounce all claims for damage caused to their nationals. The Turkish counter-proposal provides that the question shall be settled between the Turkish Government and the Greek Government. In case of disagreement as to the total of the sum to be paid by the Greeks as reparation for damage caused to Turkey by the Greek armies, this disagreement shall be settled by means of arbitration. The question whether Greece should pay an indemnity to Turkey is essentially of a political character, and the experts have not felt able to do more than put forward various alternative suggestions. The alternatives which might be adopted are the following:

(*a.*) The complete reciprocal renunciation of an indemnity in accordance with Allied proposals.

(*b.*) If the principal of a payment of reparation by Greece is admitted, the settlement of a lump sum for this reparation to be laid down in the treaty.

(*c.*) The settlement of the reparation liability by means of arbitration on the understanding that the arbitrator shall take into account not only the amount of the damage caused in Turkey, but also the capacity of payment of Greece.

Section III.—*Miscellaneous Clauses.*

Attention should be drawn to the two following points:—

1. The Turks demand that Civil List property in the detached States should be kept in the name of the Civil List and should be paid for by those States (article 65).
2. The Turkish Government is unwilling to confirm the validity of contracts and financial transactions which took place between the Constantinople Government and Allied institutions.

Both these demands of the Turkish Government should be refused.

The detailed points arising on each of the clauses are dealt with in the Annex.

ANNEX.

Financial Clauses.

Section I.—*Ottoman Public Debt.*

Article 17.

The Turkish Government wishes to add to the article the words: "Turkey is freed from all liabilities and obligations in respect to the Ottoman loans guaranteed on the Egptian tribute." It is considered that it would be undesirable to release Turkey from this liability before it is assumed by Egypt. Egypt is actually making the payments at present without any formal agreement. It is intended that Egypt should take over the liability formally by one of the subsequent agreements contemplated by article 18.

It will be desirable to explain to the Turks that this question is to be dealt with in a subsequent agreement, and to refuse the proposed addition to the article. If Turkey insists on being liberated at once, a further paragraph should be added to the following effect:—

> "Turkey is freed from all liabilities and obligations in respect of the Ottoman loans guaranteed on the Egyptian tribute, viz., the loans of 1855, 1891 and 1894. In view of the fact that the annual payments heretofore made by Egypt for the service on these loans now constitute a part of the service of the Egyptian Public Debt, Egypt shall not be called upon to undertake any further liability in respect of the Ottoman Public Debt."

Article 19.

Turkey also asks to be liberated from obligations in respect of the loans secured on the Cyprus revenues. This probably refers to the loan of 1855. The securities assigned to this loan are the Egyptian Tribute, the Customs of Smyrna, and generally the revenues of the Ottoman Empire. The interest is guaranteed by Great Britain and France. Turkey defaulted in 1876, and since that period England (which had the revenues of Cyprus under her control) has applied a sum of 90,000*l.* to the service of the 1855 loan. It is, therefore, natural to consider the loan of 1855 as secured on the Cyprus revenues, though legally this is not the case. The point is dealt with by the suggested addition to article 17 (see above) which refers expressly to the loan of 1855.

Article 45.

No substantial modification is proposed by the Turks.

Article 46.

The Turkish Government proposes to amend this article so as to make the distribution of the capital of the Ottoman Public Debt obligatory and not merely permissive. This concession was made at Lausanne.

The counter-proposal might be accepted subject to the omission of the third paragraph which provides for the issue of fresh bonds by Turkey for her share of the debt within nine months, even if the proposed commission has not finished its work. We cannot agree that Turkey should issue fresh bonds until the amount of her share and the method of distribution have been finally settled. The Turkish proposal may be intended to open the door for an issue of bonds payable in paper francs.

However, it is necessary to provide a practical procedure for bringing the work of the commission to a conclusion without indefinite delay. The experts propose to provide for arbitration by the League of Nations in case the commission fails to agree.

Article 47.

This article provides that Turkey should, if necessary, increase the assigned revenues for her share of the debt, since the detached States have to give adequate assigned revenues for their shares, and it is inequitable that the revenues assigned to the Turkish share should be inadequate.

The article should be maintained, but, if the Turks object to the article on the ground of the intervention of the Debt Council, the wording might be altered so as not to make this intervention obvious.

Articles 48 *and* 49.

No change of substance is proposed. (As regards the islands, see article 53.)

Article 50 *and Annex II.*

The Allies originally proposed that railway loans should be distributed in the same way as other State loans. The Greek and Albanian delegation at Lausanne wished to refer to arbitration the questions (1) should kilometric guarantees (which are not loans but variable subsidies and were excluded by the Allies) be included in the debt to be distributed; (2) alternatively, if these guarantees are excluded, should railway loans be distributed geographically and not in the same way as other debt? The Turks desire to suppress the article and annex, *i.e.*, to return to original Allied proposals.

After further consideration of this question the experts are of opinion that the original Allied proposals are preferable to the solution suggested by the Greek and Albanian delegations, and article 50 and Annex II should be omitted.

New Article.

The Turkish Government proposes that the succession States should share in any expenditure incurred by Turkey in withdrawing paper money, in the same proportions as the pre-war Ottoman Public Debt is to be shared. This is unjustifiable because the paper money is not a loan and the loss caused by the depreciation of Turkish currency has already been borne by persons with fixed incomes in all parts of the Ottoman Empire. The proposal is impracticable because the detached States have no control over Turkish currency policy. For example, they could not prevent Turkey from replacing by a fresh issue paper money withdrawn at the expense of the succession States. The charge involved is indeterminate and the liability might last for ever.

This article must be refused.

Article 51.

No substantial change.

Article 52.

The Turkish delegation proposes that the liability of Italy to contribute to the Ottoman Public Debt in respect of the Dodecanese should date as from the 17th October, 1912. The experts are willing to recommend a concession on this point, although they consider that it might be fairly resisted. According to the Turkish counter-proposal, the Greek islands referred to in article 12 should contribute to the debt as from the 14th November, 1913. The situation in regard to these islands seems similar to that in regard to the Dodecanese, but the question will have to be discussed in due course with the Greek delegation.

It is suggested that the Turkish counter-proposal should be agreed to as regards the Dodecanese and reserved as regards the islands referred to in article 12.

Article 53, *paragraph* 1.

No change in substance.

Article 53, *paragraph* 2.

This must be suppressed if the following article is maintained (see below).

Article 53, *paragraph* 3.

The Turkish Government proposes that the retrospective contributions of the Balkan States shall be used to reimburse the payments already made by Turkey on account of these Balkan States. This is agreed.

The article should be accepted with omission of second paragraph.

Article 54.

This article provided that the Turkish Government shall repay to the Ottoman Debt Council the assigned revenues which have been withheld since the beginning of the Nationalist movement. The Turkish Government wish to suppress this article and to substitute in the second paragraph of article 53 a provision that these arrears shall be paid off in twenty years without interest in the same way as the arrears due from succession States. This demand is a debatable one. The Turkish Government had no justification for withholding assigned revenues, which had been irrevocably pledged to loans. The position of the other succession States was clearly different; since they could not pay to the debt annuities of which the amount had not yet been fixed, it is equitable to grant them more lenient treatment. For this reason it is considered that the article should be maintained and paragraph 2 of article 53 suppressed, but the experts consider that possibly some concession might be made to the Turks as regards arrears.

Article 55.

No change.

Article 56, *paragraph* 1.

This provides for the confirmation of the decrees and contracts relating to Turkish loans contracted before the 1st November, 1914. The Turks object because they consider this a matter of internal administration. The Allies agreed to withdraw this paragraph if the Turks would sign a declaration to the same effect to be made to the representatives of the bondholders. The declaration was drafted by the Turks and submitted to the Allies, but has not yet been signed, and the paragraph can only be omitted if and when the declaration is duly signed.

Article 56, *paragraph* 2.

No change of substance.

Annexe I.

In the table of Turkish pre-war debt, the Turkish counter-proposal makes numerous alterations in the figures. In order to avoid controversy about figures which cannot be verified readily, the 6th and 7th columns, which contain most of the disputed figures, might be omitted.

The Turkish counter-proposal also adds Treasury bills and advances to the amount of £ T. 14,000,000. These added items will need to be carefully checked, and the necessary information is being obtained from Constantinople. The amount of the advances which were repaid out of the 1911 loan should be deducted from the amount of this loan, as otherwise they appear in the table twice over.

Explanatory Note and Currency of Payment.

The figures in the Allied table of Turkish pre-war debt are given in £ Turkish gold. The loans are not payable in £ Turkish gold, but in various currencies at the choice of the bondholder, and for the most part these currencies include francs and sterling, as well as £ Turkish paper. An explanatory note was added for the purpose of explaining that the figures were given in £ Turkish gold on the assumption that one of the currencies was at gold par. In order to make the matter clearer it is

proposed to show the figures in £ Turkish (*i.e.*, not in £ Turkish gold) and to substitute a shorter note to the following effect :—

"The amounts of the loans shown in this table have been given in £ Turkish for the sake of simplicity, but it will be understood that the amount in £ Turkish required for the service of these loans has to be calculated, in accordance with the loan contracts, at a rate of exchange such as to enable the bondholders to obtain payment in the currencies to which they are entitled by the loan contracts."

It must be made absolutely clear that there can be no question of authorising the Turkish Government to vary the provision in the contracts about the currency in which payment is to be made.

Section II.—*Reparation.*

Article 57.

The drafting of this article depends on the settlement of the reparation question. The provisions in regard to property, rights and interests which the Turks wish to include in article 57 can be accepted if the right to restitution in kind of identifiable objects is safeguarded.

Article 58.

This depends on the settlement of the Graeco-Turkish reparation question.

Articles 59 *to* 64.

These articles must be maintained if a reparation claim against Turkey is maintained. If the reparation figure is reduced to £T. 7,000,000 gold this figure should be inserted in article 61 and the figure for the annuity in article 59 should be reduced from £T. 900,000 gold to £T. 420,000 gold

In article 60 it had already been agreed to eliminate the three last paragraphs referring to revenue from concessions.

Miscellaneous Clauses.

Article 65.

Article 65 must be maintained in its present form because the Civil List property is essentially State property. No real distinction can be maintained between property belonging to the Ottoman Treasury and property of the Civil List. Moreover, the Civil List property was transferred into the name of the Turkish Treasury after the revolution of 1908. The subsequent re-transfer to the Civil List did not take place until 1919 after the occupation of the detached States by the Allies.

Articles 66 *to* 68.

No substantial change.

Article 69.

This article, except the last paragraph, should be eliminated, since the question of the sums of gold referred to is dealt with elsewhere.

The text proposed by the Allies for the last paragraph provides that Turkey shall undertake the liability in respect of the paper money from which the Ottoman Debt Council is freed. These provisions should be adhered to, but, of course, this is not an essential point for the Allies.

Article 70.

This article confirms the validity of contracts and settlements made between the 1st November, 1922, between the Constantinople Government on the one hand, and the Ottoman Public Debt and Allied subjects on the other. The article is suppressed in the Turkish counter-project, the Angora Government refusing to recognise the acts of the Constantinople Government. It must be maintained on account of the harm which would result to Allied interests from the non-execution by the Angora Government of the undertakings of the agreements made by the Constantinople Government. However, the form of this article might be discussed and modified if necessary in order to make it more easily acceptable to the Turks.

Treasury, March 26, 1923.

No. 508.

Sir H. Rumbold to the Marquess Curzon of Kedleston.—(Received March 27.)

(No. 297.)
(Telegraphic.) *Constantinople, March* 26, 1923.

YOUR telegram No. 90.

Conviction has grown upon me that resumption of conference on reduced scale at Lausanne is infinitely preferable to opening new stage of negotiations at Constantinople.

Avowed French arguments in favour of Constantinople are so weak that they can only cloak some ulterior motive.

Alleged anti-Kemalist atmosphere here is confined to elements so inarticulate as to count for nothing at all, or elements which, in competition to prove their patriotism, would be forced to outdo Kemalists in their insistence on full satisfaction of all Turkish demands. We should be surrounded by noisy journalists and Deputies from Angora who would seek to exercise constant pressure on Turkish delegates and to embarrass Allied delegates in every way. Javid Bey, who represents one wing of semi-latent Union and Progress, opposed to Kemalists, himself told me some days ago that atmosphere would be most undesirable.

As for second argument, I feel that choice of Constantinople would of itself conduce to lengthiness, whereas at Lausanne we should work on business lines to attain it rapidly without regard to conflicting minor influences which would have full play here. Heads of delegations would have more authority and freer hand.

I cannot but suspect that M. Bompard is influenced by desire to save his own situation. He has been so violently attacked by Turks of late that it would suit him to leave French High Commissioner to bear the brunt of further odium. This he can do easily if negotiations are left to High Commissioners, while if they take place at Lausanne he cannot escape participation without appearing to run away. In adopting his view French Government may be animated by desire to please Turks by deferring to their expressed preference for Constantinople, and by hope that if French lose ground in one Turkish centre M. Steeg will be able to retrieve it at Angora by private negotiations regarding French economic and financial interests.

Following are other arguments in favour of Lausanne :—

1. Turks would regard it as triumph over Allies to have brought latter to Constantinople.

2. General Turkish assumption is that conference, if held here, would take place in a Turkish public building. This implies that principal Turkish delegate would preside.

3. If we agreed to meet here but insisted on Allied presidency, conference would almost certainly have to be held at some outlying place like Prinkipo or Beicos, practical inconvenience of which would be very great.

4. Even if this could be arranged, Ismet would feel it beneath his dignity, as Minister for Foreign Affairs, to sit under chairmanship of High Commissioner anywhere on Turkish soil; and we have every interest in inducing Ismet, whom we know to be committed to peace policy, to come to conference as principal Turkish delegate.

I may venture to add that I am so far from being influenced by personal considerations that I should prefer Constantinople if I were guided by my personal inclination and convenience. It is solely on ground of public interests that I express this strong and increasing preference for Lausanne.

No. 509.

Sir H. Rumbold (No. 37) *to Mr. Bentinck.—(Repeated to Foreign Office; Received March* 27.)

(No. 199.)
(Telegraphic.) R. *Constantinople, March* 27, 1923.

YOUR telegram No. 55.

I am informed by representative of Greek Red Cross that Greek Government has decided to cancel for the present proposed removal of 4,000 to 5,000 refugees from Samsun.

Failure to carry proposed removal will produce a bad impression on Turks and may well be followed by removal of refugees from coast towns either to Constantinople or to the interior with deplorable results in either event. If assurance given by Spanish Minister to High Commissioners in this respect is not adhered to their influence in the matter will be greatly impaired.

I should be grateful if you can bring these considerations urgently to the notice of Greek Government and press it to carry out its undertaking. It might perhaps again be pointed out that refugees at Samsun have been vaccinated and disinfected locally.

No. 510.

The Marquess Curzon of Kedleston to Acting Consul Graffety-Smith (Jeddah.)

(No. 7.)
(Telegraphic.) *Foreign Office, March 27, 1923.*

YOUR telegram No. 9 of 23rd March: Sultan's desire to leave Jeddah.

(Confidential.)

Please telegraph anything further that you can ascertain about what passed between Sultan and King Hussein and regarding Sultan's intentions.

You should do nothing to discourage the ex-Sultan from going to Switzerland a plan which would be entirely acceptable to His Majesty's Government.

While there is no fundamental objection to affording him a passage in a British warship if circumstances rendered it feasible, matters should not be pressed to a decision merely to fit in with sailing of "Clematis."

(Repeated to Constantinople, No. 92.

No. 511.

The Marquess Curzon of Kedleston to Sir H. Rumbold (Constantinople)

(No. 91.)
(Telegraphic.) R. *Foreign Office, March 27, 1923.*

YOUR telegram No. 195 of 24th March: Interview with Adnan Bey.

Your language approved.

[E 2989/1/44] No. 512.

The Marquess Curzon of Kedleston to the Marquess of Crewe (Paris).

(No. 1075.)
My Lord, *Foreign Office, March 27, 1923.*

I HAVE received Mr. Phipps's despatch No. 695 of the 19th instant enclosing a copy of a note in which M. Poincaré states his views as to the applicability of the pact of the 5th September, 1914, to the present situation.

2. I note with satisfaction that M. Poincaré characterises his claim to the right of concluding a separate treaty with Turkey as purely academic. His Majesty's Government, however, feel constrained to put definitely on record that they are wholly unable to accept M. Poincaré's proposition that the Allies are already at peace with Turkey, and that the treaty about to be concluded with her as a result of the negotiations begun at Lausanne is not a treaty of peace, to which accordingly the pact of 1914 would not be applicable. That is a thesis which His Majesty's Government consider to be quite untenable.

3. I shall be glad if your Excellency will reply to M. Poincaré in the above sense.

I am, &c.
CURZON OF KEDLESTON.

E 3344/1/44] No. 513.

Minutes of an Inter-Allied Meeting held at the Foreign Office, March 27, 1923, at 4·45 P.M.

Present:

BRITISH EMPIRE.

The Marquess Curzon of Kedleston (*in the Chair*).
Sir Eyre Crowe.
Mr. Vansittart.
Mr. Malkin.
Mr. Nicolson.
Mr. Forbes Adam
Mr. Ronald (*Secretary*).
Mr. Payne, Mr. Fountain } Board of Trade.
Mr. Waley, Treasury.

FRANCE.

M. Bompard.
M. Bargeton
M. Fromageot
M. Bexon
Comte de Saint-Aulaire.
M. Thierry (*Secretary*).

ITALY.

Marquis Garroni
M. Montagna.
M. Guariglia
M. Nogara.
M. Guarnaschelli (*Secretary*).
Marquis della Torretta

JAPAN.

Baron Hayashi
Mr. Nagaoka.
Mr. Sato.
Mr. Okamoto, Mr. Nishizawa } *Secretaries.*

LORD CURZON, in referring to the reports presented by the three committees appointed at the last meeting, wished to thank and to compliment the experts on their remarkable achievement, which encouraged the hope that the work still to be done at Lausanne would be concluded speedily and successfully.

Before opening the discussion on the three reports, he wished to make certain general observations. While it had been agreed the other day that the Allies, generally speaking, were disposed to consider the various proposals put forward by the Turks, he was alarmed at the prospect of re-examining at the coming conference the whole of the draft treaty clause by clause and line by line. If such a course were adopted, the greater part of the work would have to be done all over again and there would be inexhaustible possibilities of delay.

The new work might perhaps be divided into three categories. Firstly, there was that part of the old treaty which was not now in dispute and was not touched upon by Ismet Pasha's note. At Lausanne it would be unnecessary to discuss this section in any degree at all. In the second place, there was that part of the treaty which had been accepted by the Turks at Lausanne but was now subjected to criticism and objection by them. It should be clearly understood that there could be no fundamental revision of this portion of the treaty. Lord Curzon suggested that it might be pointed out that the objections to that part of the treaty had been noted but, as it had already been accepted by the Turks, it could not be discussed all over again. On the other hand, as a proof of their desire for peace, the Allies were ready to make various concessions. By this means the conference would escape being forced to take word by word those portions of the treaty which had already been accepted. Thirdly, a considerable part of the treaty had been left in dispute at Lausanne. Either the Turks had not given their agreement, or the Allies had

not been able to find a satisfactory formula among themselves. This part of the treaty must be discussed in greater detail.

Lord Curzon felt that the Allies would be in a strong position if they decided to adopt the line of procedure suggested by him. In this way they would be able to curtail the length of the proceedings at the coming conference. He had, however, only intended to sketch in outline the procedure to be adopted and asked whether any of the delegates present wished to make any observations.

As no delegate desired to speak on this subject, Lord Curzon proposed to open the discussion on the three reports.

Report of the General Committee.

He suggested that the names of the delegates present at the Foreign Office meetings should be erased on the first page.

Article 1: *Evacuation of Occupied Territory.*

The Turks wished the Allied troops to evacuate the territory at present occupied by them, immediately the treaty had been ratified by the Angora Assembly. But ratification by Angora alone was not sufficient, as the Allied delegates, on their side, were bound to await ratification by their respective Parliaments. If evacuation were to be expedited this must be arranged not by the treaty itself, but by private agreement with the Turkish Government after the signature of the treaty.

Article 2: *Maritza.*

Referring to the substitution of "le cours" for "le thalweg," LORD CURZON thought that the frontier fixed at Lausanne was more satisfactory. There would undoubtedly be disputes as to the exact meaning of "le thalweg" and "le cours." He felt that it would be better to fix the frontier on the left bank of the river. The Maritza was a small river and probably broke up into many small streams in its bed for the greater part of the year. He presumed that the suggestion was to fix the frontier in the middle of the biggest stream, but the biggest stream would continually be changing in such a river and give rise to endless possibilities of dispute.

M. BOMPARD remarked that "le cours" meant the middle of the river. He added that in private conversation with him M. Venizelos had raised no objection to the proposal. The Turks in asking for the middle of the river were actuated solely by motives of *amour-propre*

SIR EYRE CROWE suggested that the Maritza might later become a navigable river and thus come under another section of the treaty. In this event there would be considerable doubt and uncertainty if the phrase "le cours" were admitted.

M. FROMAGEOT explained that in ordinary parlance, "le cours d'un fleuve" simply meant "le fleuve"; the words "le cours" might just as well be left out. For the purpose of the present draft treaty it was declared in article 6 that "le cours d'un fleuve" should be interpreted to mean the middle of the water-course in a non-navigable river and in a navigable river the middle of the navigable channel.

LORD CURZON thought it would be best to adhere to the left bank.

THE MARQUIS GARRONI thought that if one-half of the river belonged to one State and the other to another, there would be endless disputes over fishing and boating rights

After further discussion, it was decided to adhere to the left bank as the boundary, as proposed in the draft treaty.

Article 12: *Castellorizo.*

LORD CURZON thought it desirable to say something on the question of the Island of Castellorizo. He recalled that Signor Nitti had asked for this island at a meeting in London and that the Allies had agreed to its cession to Italy. The Treaty of Sèvres confirmed the island to Italy on account of the danger to Adalia if the island remained Turkish. There were no Turkish inhabitants, but there were some 6,000 to 7,000 Greeks on the island. In making their request the Italians had advanced various historical arguments, and at Lausanne he had backed up their request. The Turks now insisted on the island being handed over to them. Clearly the Allies could not go to war on a point of so little importance.

THE MARQUIS GARRONI said that his Government insisted on retaining the island. Castellorizo was of no importance to the Turks, but they were frightened that it imght be given to the Greeks, and for this reason only were now pressing their demands. He refused to believe that there was any chance of war breaking out on the question of the island's future.

LORD CURZON enquired why the Italian Government considered the island was so important to them.

THE MARQUIS GARRONI replied that the arguments put forward at San Remo which determined the cession of the island to Italy still held good. Castellorizo was of little value, but if Italy now abandoned it her prestige would suffer.

LORD CURZON said that he had been ready at Lausanne to support the Italian claims, but was now somewhat apprehensive in case the Turks were to insist. He enquired whether the island was very near the coast.

THE MARQUIS GARRONI replied that Castellorizo was at some distance from the mainland, and repeated that the Turks were merely asking for it owing to their fear that it might come under Greek sovereignty.

LORD CURZON recalled that Signor Nitti had said to the Allies in Downing Street, "Donnez-moi un petit cadeau," whereupon they had given him Castellorizo.

THE MARQUIS GARRONI pointed out that there was no question of raising again the discussions which had taken place at San Remo.

M. BOMPARD said that the French had been ready to support the Italian claims at Lausanne. They were ready to continue their support.

LORD CURZON thought it was necessary to contemplate the possibility of the Turks refusing to sign the treaty if Castellorizo were not handed over to them. What, then, should be the attitude of the Allies? Was it reasonable to ask them to lose the peace rather than give up this little island?

M. MONTAGNA said that there was no ground for reconsidering the question of Castellorizo, because it had been decided not to allow any discussion on territorial questions.

THE MARQUIS GARRONI confirmed these remarks.

In any case, M. MONTAGNA suggested, it might be possible to find out, by sounding the Turks unofficially on the point, what importance they really attached to Castellorizo, making it clear to them that there was no danger of the island being handed over to the Greeks.

LORD CURZON agreed, and undertook in the initial stages of the forthcoming resumed conference to support the Italian claim.

Sanitary Clauses.

LORD CURZON enquired whether M. Bompard was satisfied with the sanitary clauses.

M. BOMPARD reserved a final opinion. M. Barrère had attached particular importance to the Allied proposals on this head.

Article 159: *Accession of other Countries to Financial and Economic Sections.*

LORD CURZON called the attention of the meeting to the fact that the Turks had suppressed article 159, which provided for the accession of Belgium, Poland, Portugal and Czechoslovakia to the financial and economic sections of the treaty. These States attached considerable importance to the point. He asked whether the meeting considered that the insertion of the original article should be insisted upon.

M. BOMPARD felt that it would be very hard on these States if they were not allowed to accede to the treaty. It was therefore important to make an effort to induce the Turks to admit the original article.

This was generally agreed to.

Ismet Pasha's Note, p. 18: Arms and Ammunition.

LORD CURZON then referred to Ismet Pasha's contention that the Allied delegates at Lausanne had consented to give back to Turkey the men-of-war, arms and ammunition at present under Allied guard. Lord Curzon could not recall any such promise having been given.

M. BOMPARD said that under no circumstances could his Government consent to restore the arms in question.

MARQUIS GARRONI added that during the period of occupation certain banks had made a loan of £T. 2 million on the security of these munitions. Thus the arms belonged to the Allies, who had given a guarantee to the banks for the loan of £T. 2 million to be paid from the proceeds of the sale of these arms

M. FROMAGEOT agreed with the Marquis Garroni, and said that the munitions in question could not now be given back. They had already been paid for and had become the property of the persons who made the loan. The whole question had nothing to do with the Peace Treaty.

Régime of Foreigners in Turkey: Reciprocity.

SIR EYRE CROWE explained that the Turks had, in a separate clause, demanded the recognition of the principle of absolute reciprocity as regards the position of foreign subjects. This was impossible, seeing that certain signatory States were precluded by their legislation from according such reciprocity in all matters. To meet this difficulty the report of the committee suggested that the Allies should take up article by article, and indicate in each case whether and how far reciprocity could be admitted. Lord Curzon did not like this suggestion. He anticipated its lending to endless discussions with the Turks on every line of every article. He asked whether it would not be preferable to accept the article, stipulating for the general principle of reciprocity, but to add the proviso that this must be subject to the laws of the signatory State permitting the application of the principle in any particular instance.

MARQUIS GARRONI agreed that it would be best to insert some general formula such as that proposed by Sir Eyre Crowe.

M. BOMPARD thought it would be extremely difficult to find a satisfactory formula.

M. FROMAGEOT suggested that if reciprocity were made conditional on legislation, it would be possible for Turkey to pass new laws nullifying the effect of the whole convention.

SIR EYRE CROWE interposed that he had meant existing legislation.

M. FROMAGEOT pointed out that in many commercial and establishment treaties reciprocity was not always specifically mentioned. Such a stipulation was not really necessary, seeing that it is easy to arrange for reciprocity by the wording of the various articles of the treaty.

M. BOMPARD, agreeing on this point with M. Fromageot, suggested that, instead of a general article, it might still be possible to arrange that each article should clearly state whether reciprocity was contemplated or not.

SIR EYRE CROWE pointed out that the Turks wished for a general article; he repeated the objection to this idea which had been felt by Lord Curzon, and said that the suggested formula by him was specially designed to surmount this difficulty and meet the Turkish demand for the enunciation of a general principle. If it was impossible to decide upon a text there and then, he suggested that the jurists should be instructed to draft an article on the lines proposed by Lord Curzon before the negotiations were resumed at Lausanne on the convention.

This was agreed to.

Schools.

M. BOMPARD thought that the changes proposed by the Turks in the educational régime would not materially alter the sense of the original Allied draft. The Turkish draft was really aimed at schools run by the Hellenic Government in Turkey, which they do not wish to enjoy the privileges accorded to British, French and Italian schools As a matter of fact, most of the Greek schools in Turkey were

run by and for Greek Ottoman subjects. They would be protected by the terms of the minorities section of the draft treaty. He suggested that as the United States of America were not to be a party to the treaty, it would be wiser to suppress the last words of the recommendation, namely, "and probably extended to include the American schools."

This was approved.

Judicial Régime.

LORD CURZON explained that he was rather doubtful regarding the formula which was employed in para. 5 of Sir Horace Rumbold's draft of the 27th February to insure that the arrests and domiciliary visits in the case of foreigners in the Smyrna and Constantinople areas should only be undertaken in agreement with the foreign counsellors. The words were " . . . . seront pratiquées d'accord avec lesdits conseillers." This phrase was open to the interpretation that the visits to the house of a single foreigner or his arrest would require the consent, not of one counsellor, but of all the counsellors. Secondly, it was not clear how his consent was to be obtained. The original Allied draft declaration in the draft treaty of the 31st January stipulated that the warrants, &c., should actually be countersigned by a foreign adviser.

MARQUIS GARRONI remarked that he had made a suggestion at Lausanne to the effect that the consuls should be previously informed of domiciliary visits, arrests and perquisitions.

M. BOMPARD interposed to explain that the word " contre-signées " had been purposely dropped from the original Allied draft of the 31st January, and the words " pratiquées d'accord avec " substituted to make the whole formula more palatable to the Turks. By this substitution the same thing was meant.

LORD CURZON proceeded to point out that quite apart from the failure to specify the number of foreign advisers who were to intervene in the case of these arrests of foreigners, the total number was not limited in any paragraph throughout the declaration, and, indeed, no reference to any number had been made in the Allied draft of the 3rd February, or Ismet's counter-draft of the 4th February. He thought that this was unfortunate, and that some number should be named.

M. BOMPARD suggested that four judges would be sufficient if the foreign advisers were only to work in the districts of Smyrna and Constantinople, as proposed in the present draft declaration. He would revert to this point later, but as regards the actual words in paragraph 5, to which Lord Curzon had drawn their attention, he agreed that some redraft was necessary to make clear both what was meant by the words " pratiquées d'accord avec," and the actual number of counsellors whose consent would be necessary for a visit or arrest.

MARQUIS GARRONI agreed that a redraft on this point was called for, as the phrase was ambiguous.

M. BOMPARD then reverted to the question of the limitation to the districts of Constantinople and Smyrna. He asked why Sir Horace Rumbold's draft declaration only provided safeguards for foreigners in these areas.

SIR EYRE CROWE explained that the original Allied draft of the 3rd February had provided similar safeguards for foreigners in the districts of Adana and Samsoun. Ismet Pasha had struck these two districts out of the Allied draft in presenting his counter-draft of the 4th February, and Signor Montagna had accepted this omission after the final meeting in Lord Curzon's room. M. Bompard had also apparently been prepared to accept this omission in Ismet Pasha's counter-draft, as he had accepted the latter with the insertions made by Signor Montagna on the night of the 4th February. Great Britain on her part had no great interest in insisting upon the addition of the districts of Adana and Samsoun, since there were few, if any, British subjects in those areas. And since they believed that France and Italy, who admittedly had more subjects in these districts, were prepared to accept their omission from the draft, His Majesty's Government had been ready to acquiesce in Sir Horace Rumbold's new draft, which was an attempt as far as possible to prepare an acceptable text on the basis of the counter-draft of Ismet Pasha of the 4th February with the insertions made by Signor Montagna. It was to be feared that if M. Bompard and the Marquis Garroni now wished to extend the draft in the direction they had indicated it would become unacceptable to the Turks.

M. BOMPARD pointed out that the idea underlying the original proposal was that there should be European counsellors in each district served by an appeal court. He did not know whether the two appeal courts at Constantinople and Smyrna covered the whole of Turkey. If that were the case, the Allies might rest content with four counsellors, two at Constantinople and two at Smyrna. Otherwise it might be stipulated in so many words that there should be two foreign counsellors for each district of an appeal court.

After enquiry of the experts it was pointed out that each vilayet in Turkey had its own court of appeal.

M. BOMPARD agreed that in that case it would not be possible to mention all the courts of appeal in Turkey. Moreover, he realised the difficulty of applying the same procedure to foreigners, probably few in number, in the outlying districts of Turkey such as the border of Kurdistan. But he thought that an attempt should be made to redraft Sir Horace Rumbold's declaration so as to provide some safeguards for foreigners in such a position. Possibly the foreign legal advisers might be given information as soon as possible after the arrest of any foreigner outside the districts of Constantinople and Smyrna, so that they could look into the matter.

SIR EYRE CROWE reminded the meeting that the conference at Lausanne had broken down largely on this very point, and that it would be exceedingly difficult to persuade the Turks to accept even Sir Horace Rumbold's declaration, and *a fortiori*, therefore, the extension of it it proposed by M. Bompard. But since the sense of the meeting was in favour of attempting to cover the point, he proposed that the phrase "cours d'appel de Constantinople et de Smyrne" should be retained, and that in these vilayets the legal advisers should signify their assent before the arrest or domiciliary visit of any foreign subject, while in the other vilayets the arrests, &c., of foreigners should be reported immediately after the event to one of the foreign legal advisers.

This was approved, and it was decided to leave it to the jurists to redraft Sir H Rumbold's declaration at Lausanne in this sense, when every endeavour should be made to persuade the Turks to accept it.

Report of the Financial Committee.

LORD CURZON said that two important points arose on the report of the Financial Committee, on which it was necessary to take some decision, namely, whether reparations were again to be demanded of the Turks, and whether reparations were to be paid by the Greeks. On both these points every endeavour had been made to reach a satisfactory settlement at Lausanne, but Ismet Pasha, at the final meeting on the 4th February, had insisted upon any references to the counter-claims of Greece against Turkey being dropped from the final Allied formula, which he otherwise accepted. Everyone seemed to be agreed that the best solution would be to insist upon a complete waiver of claims by the Turks and the Greeks upon each other. The Allies had hitherto failed to achieve this and would probably fail again, and it was therefore incumbent upon them to find a resolution which might in the last resort be accepted by the Greeks, while meeting Turkey's main contention that the principle of her right to some reparation for the Greek devastations should be admitted in the treaty. He had a suggestion to make on this point which he would ask Sir Eyre Crowe to explain.

SIR EYRE CROWE pointed out that, starting from the basis of the Turkish contention to which Lord Curzon had just referred, and taking from the Allied formula the proposal to refer in the last resort the question of any payment by the Greeks to an arbitral tribunal, it might be possible to draft an article which simply stated that the question of the payment by Greece of a sum to Turkey representing the equivalent of the sums necessary to repair devastations committed by her armies in Asia Minor should be referred to an arbitral tribunal which, in fixing the sum, would take into account "the capacity of Greece to pay, having regard to all the circumstances arising out of the war." Greece would be able to bring before this tribunal arguments to show her inability to pay, owing to the burden imposed upon her by the expulsion and deportation of the Greeks from Turkey, and thus indirectly to put forward her counter-claim against Turkey.

MARQUIS GARRONI objected to the phrase "circumstances arising out of the war," as the Turks would reply that the war had been wilfully caused by the Greeks.

SIR EYRE CROWE reminded the meeting that the Greeks had originally gone to Asia Minor at the invitation of the Allies, and that it was the Turks who had originally declared war on the Allies, who, at the time of the armistice, included the Greeks.

LORD CURZON said that he could not, of course, press his suggestion if objections were to be raised by the other delegates, and in that case it would not be possible to reach a final decision here, and the meeting would simply take note of its inability to fix there and then the policy in this matter to be pursued at Lausanne.

MARQUIS GARRONI suggested that Lord Curzon's proposal might be accepted if the proposal to refer to the "circumstances arising out of the war" were withdrawn The omission of this phrase might, in fact, give the Greeks a freer hand to advance arguments as to their inability to pay. Some of the Greek counter-claims about refugees referred to a period in 1914 before the outbreak of war

LORD CURZON agreed that there was force in this argument.

It was decided that the proposal to allow an arbitral tribunal to decide the question of a payment by Greece for reparation, taking into account her capacity to pay, might provide a solution.

Railway Loans.

M. BOMPARD said that he had a few points to raise in connection with the Ottoman Debt clauses. As regards article 50 and annex II, he reminded the meeting that in Ismet Pasha's note of the 4th February the following words occurred: "In view of the request made by the Albanian and Greek delegations we are prepared to agree that the debts connected with railways shall be borne by the States on whose territory the railway lines are themselves situated." M. Bompard thought that the Allies should refuse to allow the Turks to go back upon this offer, though the report of the committee had not taken the point into sufficient account. This concession must be made the starting point for all future discussions concerning the railway loans.

This was agreed to.

As regards the question of Turkish paper money, M. BOMPARD pointed out that the loss occasioned by the depreciation of this currency had affected *all* holders of the currency and not only those with fixed incomes, as implied by the committee's report

As regards article 56, he suggested that the first paragraph could be omitted only if and when the declaration was duly signed and given to the Council of the Ottoman Public Debt

This was agreed to.

Referring to article 57, M. BOMPARD said that his Government took strong exception to the withdrawal of the British offer to pay into the Allied reparation pool 5,000,000*l*., representing the value of the purchase price of the two Turkish ships seized by His Majesty's Government at the outbreak of the war. This diminution of the sums available to satisfy in some measure Allied subjects who had suffered severely from the war would entail great hardship on the French claimants, and the French Government would be forced to ask that the original demand of the Allies for 7,000,000*l*. reparation from Turkey, in addition to the 5,000,000*l*. gold at Berlin and Vienna, should again be put forward.

LORD CURZON replied that the situation was one from which all the Allies would suffer. At Lausanne he had consented to admit the Turkish claim for the amount alleged to be due from Great Britain in respect of two battleships, as he had been assured that the only means of getting the treaty accepted by Turkey was to wipe out all her obligations to pay reparations by allowing her to set off the 7 millions she claimed for these ships plus the 5 millions gold transferred from Berlin and Vienna against the reduced Allied claim of 12 millions on account of reparations M. Bompard now contended that France would never have agreed to this waiving of all reparations if Great Britain had not agreed to make the sum of 5,000,000*l*. available for meeting in part the claims of Allied subjects for compensation for their losses due to Turkish action. Lord Curzon admitted that he had offered to contribute 5,000,000*l*. to the pool out of which Allied private claims were to be met, but since his return to England he had been informed by the Chancellor of the Exchequer that he could not agree to ask Parliament to vote such a sum out of British taxes. This view would certainly

be endorsed by the Cabinet, and however sincerely Lord Curzon regretted it, it was not in his power to get it modified. He did not, however, see how this affected the decision to waive all claim for reparation against Turkey. He was under the impression from what M. Bompard had said to him at Lausanne that the French Government were at the time ready to make almost every concession if thereby it became possible to obtain Turkey's signature to a peace treaty. Lord Curzon found it difficult to believe that this readiness was intended to be dependent on Great Britain paying 5 millions out of her taxes. In any case, the concession offered to Turkey by the Allies was made unconditionally, and could hardly now be revoked. It had been made because it was felt that Turkey would not in fact agree to sign a treaty embodying any claim for reparations. Did M. Bompard believe that Turkey would now change her attitude and agree to the reinsertion in the treaty of the demand for reparations which she had categorically refused and which, in consequence, the Allies had actually withdrawn? M. Bompard apparently contemplated a repetition of what had taken place at Lausanne: the Allies were to insist on reparations from the Turks, but at the last minute the French Government would themselves urge that the Allied demand should be withdrawn. Lord Curzon, on his part, felt convinced that no reparations would ever be obtained from Turkey, and that asking for them would be bad tactics and a waste of time.

M. BOMPARD said that his Government were always ready to make any sacrifice which might be necessary, but it was not the case that they had ever given instructions to give way on every point—least of all on reparations. Originally 12 to 15 millions had been suggested as reparation payment to private claimants: now the figure had been reduced to 5 millions. This was insufficient, and 12 millions was the lowest figure with which France would be content. He did not wish to criticise or complain about the decision of the British Government to withdraw their offer to contribute 5,000,000*l.* to a common reparation fund; but he asked what could be done to meet the situation. The sums in gold transferred from Berlin and Vienna were inadequate to give any considerable measure of compensation to the Allied subjects who had suffered damage. French nationals who had suffered damage from Germany were entitled to full compensation, and the French Government could never allow that French subjects who had suffered damage owing to the action of Turkey should receive no satisfactory compensation. The withdrawal of the British offer having only been announced at the first meeting of the present conference, he had, as yet, been unable to consult his Government on the new situation.

LORD CURZON said that M. Bompard was fully entitled to refer the matter to his Government, but he hoped he would impress on them the uselessness of putting in the treaty at this stage a demand for 7 millions. The Allies would be placed in a somewhat humiliating position if after making this demand they were again to give way on the point later. In this view he felt that the Italian delegates would probably agree with him.

MARQUIS GARRONI stated that having only learnt since his arrival in London that the British Government had withdrawn their consent to the payment to the account of the reparation pool for Allied subjects of the 5,000,000*l.* payable for the warships, he must refer to his Government, and in the meanwhile make a reservation.

M. BOMPARD suggested that as a compromise the Allies might waive their claim for reparation payments from Turkey, but might ask for payment of the sum required under another count. The claims of Germany upon Turkey had been transferred to the Allies by the Treaty of Versailles. These claims amounted to £T. 62,000,000. It had originally been proposed to ask for no payment in respect of the claims so transferred to the Allies, but the payment of £T. 7,000,000 gold might now be insisted on, the balance of Allied claims under this head being weighed.

LORD CURZON doubted whether so transparent a manœuvre would be the least likely to make the negotiations any easier.

Proposed Reply to Ismet Pasha's Note.

LORD CURZON felt that it was unnecessary to go into the details of the report by the economic experts, and proposed to open the discussion on the draft of the identic notes to be addressed to Ismet Pasha.

Subject, therefore, to the preceding observations on the reports of the General and Financial Committees, and to a point raised below upon the Economic

Committee's report, all three reports were approved, and the discussion turned to the draft Allied reply to Ismet Pasha's note of the 8th March (see Annex hereto).

On p. 2 Lord Curzon wished to substitute for "discuter tous les points" "discuter les divers points," and to suppress the words "sous réserve . . . . des dispositions et."

M. BOMPARD suggested that the end of this sentence should be amended to read, "à l'exception toutefois de la modification à l'article 15."

LORD CURZON thought that this would be unwise, as it would put the Castellorizo question in the forefront of a note which would be read all over the world; a question of this sort should not be given undue prominence.

THE MARQUIS GARRONI agreed that it was unnecessary to amend the draft in this way.

SIR EYRE CROWE suggested that the last words of the sentence should read: "dans votre note du 4 février, qui tendrait à une modification substantielle des stipulations territoriales conventues."

This was approved.

On the suggestion of Lord Curzon the word "immédiatement" was deleted in the second paragraph after "sont heureuses d'assurer."

SIR EYRE CROWE proposed that at the top of p. 3 the sentence should be amended to begin: "En même temps les Puissances invitantes sont d'avis qu'il n'y a pas lieu de rouvrir la discussion . . . ."

This was approved.

At the end of the same paragraph it was decided to substitute "à l'Hôtel Beau-Rivage" for "dans le salon de Lord Curzon."

Point at issue with Concessionaires.

SIR EYRE CROWE, referring to p. 4 of the draft note, said it had been decided to leave the concessionnaires to negotiate direct with the Angora Government in the matter of the readaptation of their contracts. The British delegation were quite ready to accept this paragraph of the note in principle, but they had not yet had time to consult the British interests concerned. They were doing so to-morrow morning, and would then inform the French, Italian and Japanese delegations if they could consent finally to the text of this paragraph. In any case, he understood that M. Bompard would have to refer the text to his Government.

It was decided to substitute "invité" for "engagé" in the fourth line of p. 4.

Place of the Meeting of resumed Conference.

LORD CURZON suggested that the meeting should decide where the conference should reassemble.

M. BOMPARD said that the French Government wished this question to be re-examined. The Turks in their counter-proposals had raised many important points and it would take some time to deal with them. He suggested that Allied experts should be sent to Constantinople, where they would examine in detail all points still in dispute. When they had finished, the experts would prepare reports for the conference, which could then be reassembled at Lausanne. It would be easy for the experts to discuss matters at Constantinople where the atmosphere was favourable to the Allies. On the other hand, if the conference were to be reopened at Lausanne all the other participating States would have to be invited and the proceedings would last even longer than they would do if the experts held preliminary meetings at Constantinople.

LORD CURZON was afraid that he did not agree with M. Bompard. Hitherto he had proceeded on the assumption that the conference would be reopened at Lausanne. Now the French Government had put forward an entirely new proposal for another stage in the proceedings, namely, a preliminary meeting at Constantinople. He was sure that this would involve endless delays. He had consulted Sir Horace Rumbold, who, for personal reasons, preferred Constantinople.

but felt that Lausanne was more suitable in the public interest. The French delegates seemed to think that the atmosphere at Constantinople was more favourable than at Lausanne. Lord Curzon could imagine no more poisonous atmosphere than that of Constantinople with its endless intrigues and petty schemings. Djavid Bey, a Young Turk, had informed Sir H. Rumbold that, in his opinion, Constantinople was most unsuited for the reassembly of the conference. Again, the delay involved would be considerable. Personally he was anxious for peace at the very earliest possible moment. The maintenance of the British troops at Constantinople involved a very heavy monthly expenditure. His Majesty's Government could not go on incurring this expenditure indefinitely, but until peace was signed the troops could not be withdrawn, as they were the only means of exerting pressure on the Turks. If Constantinople were chosen as a place of meeting, the Turks would regard it as a great diplomatic victory for them. Moreover, if the conference were held there, the meeting would necessarily take place in some Turkish public building, with the result that a Turk would have to preside. Lord Curzon quoted the case of the conference at Spa, where a Belgian (M. Delacroix) presided because the conference took place on Belgian territory. It had been suggested that in order to avoid the hospitality of a Turkish palace the place of the meeting might be on the Island of Prinkipo or at Beicos; this he felt was not at all desirable, and would involve unnecessary discomfort to all concerned. Finally, Ismet Pasha, for whose attendance the Allies were most anxious, would probably not consent to act as a Turkish delegate if the conference were held on Turkish territory and the President were not a Turk. For these reasons he was now opposed to fixing on Constantinople as the place of meeting.

M. BOMPARD supposed that all the other delegates would agree with Lord Curzon; he did not therefore wish to insist upon his proposal that Constantinople be chosen as the place of meeting.

Date of Conference

LORD CURZON then said it was necessary to consider the date of meeting. He suggested that it would be best not to specify any particular day, but merely to say "aussitôt que possible." The Turkish press was already accusing the Allies of causing delays. By adopting his suggestion the Allies would throw the responsibility for any dilatoriness upon the Turks themselves. In the second paragraph of p. 5 he suggested "sans difficulté" instead of "dans un très court délai." The latter phrase involved a prophecy in which no one seriously believed.

This was approved.

Communication of Note

SIR EYRE CROWE suggested that, in order to save time, the text of the note should be telegraphed at once to the High Commissioners, Constantinople. Any alterations made by M. Poincaré, when M. Bompard submitted the draft to him, could be telegraphed to Constantinople before presentation of the note. When the draft was finally agreed on, a telegram could be sent to the Allied High Commissioners at Constantinople instructing them to hand the notes to Adnan Bey as having been signed by the Allied representatives in Paris, London and Rome. Signed copies of the identic notes would then be sent out by each Government to Constantinople by bag or post.

Economic Report.

Insurance Clauses

M. BOMPARD asked leave to revert to the section of the economic report dealing with insurance. He feared that the new proposals of the committee would mean that the insurance experts' labours at Lausanne had been wasted and the insurance companies would be hit very hard.

MR. PAYNE thought that the system of making the insurance company remain liable under their contracts was the most equitable solution possible. Moreover provision was made for special bilateral agreements between Turkey and other States to settle all questions arising out of the complicated question of insurance.

M. NOGARA added that his Government had consulted the Italian companies chiefly interested in insurance in Turkey. An agreement applying to all signatories alike was not possible owing to differences in the systems of insurance prevailing in the various countries; for this reason it had been decided that each Government should be allowed to make a separate agreement and to arrange matters in the manner least likely to harm the interests of its nationals.

Press Communiqué.

SIR EYRE CROWE then read the communiqué which it was proposed to issue to the press.

The following was approved:

"The Allied representatives, under the chairmanship of Lord Curzon, considered the reports of the expert committees on the financial, economic and other parts of the Turkish counter-proposals. After examination and discussion, complete Allied agreement was reached upon all points; the reports were approved and the draft text of a reply to Ismet Pasha's note of the 8th March was considered and passed, subject to the final approval of the respective Governments. It is hoped that this approval will be given in the course of the next forty-eight hours, when an identic note will be despatched to Constantinople for transmission to the Turkish Government at Angora by the British, French, Italian and Japanese representatives.

"It is intended to publish this note."

(*The meeting rose at* 7·45 P.M.)

ANNEX.

Projet de Lettres identiques à adresser par les Ministres des Affaires étrangères de France, d'Angleterre, d'Italie et du Japon à Ismet Pacha, Ministre des Affaires étrangères de Turquie, en Réponse à sa Communication du 8 Mars 1923.

Excellence,

Les Gouvernements de Grande-Bretagne, de France, d'Italie et du Japon ont soigneusement examiné la note jointe à la lettre que vous leur avez adressée le 8 mars à l'effet de proposer certaines modifications au projet des traités de paix et aux conventions et déclarations annexés qui ont été soumis à la délégation turque à Lausanne le 21 janvier dernier.

Ces Gouvernements ne désirent pas entrer, pour le moment, dans une discussion de détail des diverses propositions que votre Excellence a présentées, non plus que des arguments invoqués à l'appui. Ils ne peuvent toutefois s'empêcher d'exprimer leur surprise que votre Excellence ait remis en discussion diverses questions que vous avez vous-même acceptées comme réglées dans les lettres adressées par vous aux délégations britannique, française et italienne à Lausanne le 4 février dernier, et qu'en outre vous ayez inséré parmi vos contre-propositions plusieurs projets d'articles qui soulèvent des questions entièrement nouvelles. Néanmoins, dans leur vif désir de hâter la conclusion d'une paix juste et durable entre la Turquie et les hautes parties contractantes, les Puissances invitantes sont disposées à constater immédiatement qu'elles sont prêtes à discuter tous les points soulevés dans la note de votre Excellence et dans les contre-propositions qui y ont annexées, sous réserve, bien entendu, de la liberté de leurs décisions à la suite de cette discussion, et à l'exception toutefois de toute proposition non formulée dans votre note du 3 février, qui tendrait à une extension substantielle de la souveraineté de la Turquie au delà des frontières convenues.

D'autre part, comme votre Excellence paraît attacher une importance spéciale à la réciprocité des stipulations qui font l'objet de la convention d'établissement et de compétence judiciaire, les Puissances invitantes sont heureuses d'assurer immédiatement votre Excellence qu'elles acceptent en principe de procéder à nouveau à la rédaction de cette convention, en vue de reconnaître à la Turquie le bénéfice de la

réciprocité de telle manière et dans telle étendue qu'il sera jugé possible de le faire en pratique.

En même temps, les Puissances invitantes désirent rendre bien clair qu'elles ne sont pas disposées à rouvrir la discussion sur aucun des articles du projet de traité du 31 janvier qui sont maintenus sans modification par votre Excellence dans la note jointe à sa lettre du 8 mars, à moins toutefois qu'une modification dans d'autres parties du traité n'entraine comme conséquence des modifications dans les articles acceptés. En second lieu, alors que les Puissances invitantes sont prêtes à faire tous leurs efforts pour concilier le contre-projet turc de déclaration concernant l'administration de la justice en Turquie figurant parmi les contre-propositions comprises dans votre lettre, avec le projet originaire allié du 3 février sur ce sujet, ces Puissances ne doivent pas cependant être regardées comme engagées par aucun des changements dans le projet de déclaration alliée, qui ont pu être suggérés après la réunion tenue par les plénipotentiaires britanniques, français, italiens et turcs dans le salon de Lord Curzon le 4 février au soir.

Il y a un autre point sur lequel les Gouvernements des Puissances invitantes désirent élucider leur position. Dans la note de votre Excellence, vous proposez que les clauses économiques soient disjointes du traité et deviennent, après la signature de celui-ci, l'objet de négociations entre les parties intéressées. Comme votre Excellence le sait, le projet d'articles que les Puissances invitantes ont présenté après de longues discussions avec la délégation turque, comprend des matières dans lesquelles leurs intérêts vitaux et ceux de leurs nationaux sont en jeu. Si, par conséquent, les Puissances invitantes déclarent maintenant qu'elles sont prêtes à discuter les contre-propositions que votre Excellence a présentées, il doit être bien entendu que ces discussions porteront également sur les clauses économiques. Les Puissances invitantes croient d'ailleurs qu'il serait possible, au cours de nouvelles négociations et au moyen de quelques concessions mutuelles, d'arriver à une entente sur les clauses de cette nature à insérer dans le traité.

Quelques unes de ces clauses ont pour objet de fixer d'un commun accord des règles assurant en Turquie aux ressortissants des Puissances alliées et aux sociétés où leurs capitaux sont engagés la sauvegarde de leurs droits acquis et de leurs intérêts créés par les événements survenus depuis 1914, ainsi que la réadaptation de leurs contrats aux conditions économiques nouvelles résultant de ces événements. A l'effet de hâter la solution de cette importante question, les Gouvernements des Puissances alliées ont engagé ceux de leurs nationaux qui y sont intéressés à entrer eux-mêmes en négociations avec le Gouvernement turc en vue d'arriver à des arrangements conclus avec ce Gouvernement sur la base des dispositions qui ont été insérées dans le projet de traité de paix. Si ces négociations aboutissent à un heureux résultat, les Gouvernements des Puissances alliées ayant constaté la conclusion des arrangements intervenus, les dispositions actuellement consacrées au même sujet dans le projet de traité auront perdu leur raison d'être et la conclusion de la paix paraîtrait devoir en être grandement facilitée. Ce serait seulement dans le cas où les arrangements envisagés n'aboutiraient pas en temps utile que les Gouvernements des Puissances alliées auraient à tenir à l'insertion dans le traité lui-même de dispositions de telles que celles rappelant celles insérées au projet du 31 janvier dernier, afin de sauvegarder ainsi les intérêts vitaux de leurs ressortissants.

Pour le surplus, il sera possible de traiter quelques-unes des autres articles des clauses économiques d'une manière plus générale, en laissant, au besoin, certains détails à régler par des négociations ultérieures entre le Gouvernement turc et chaque Gouvernement intéressé.

Sous réserve des observations ci-dessus concernant les modifications territoriales, les clauses économiques et la déclaration judiciaire, les Gouvernements des Puissances invitantes ont l'honneur de suggérer à votre Excellence que vous envoyiez des représentants pour reprendre des négociations à . . . le . . . avril, avec des représentants des autres hautes parties contractantes.

Les Puissances invitantes sont convaincues qu'en y apportant de part et d'autre une égale bonne volonté, il sera possible de conclure la paix dans un très court délai, et elles prennent note avec plaisir des assurances que votre Excellence leur a données du désir qu'en a et des vœux que forme dans ce sens le Gouvernement turc ; elles partagent ses sentiments et son espoir et tiennent ces dispositions communes comme de bon augure pour le succès de la conférence à reprendre . . . .

No. 514.

Mr. Bentinck (No. 59) to Sir H. Rumbold.—(Repeated to Foreign Office: Received March 28.)

(No. —.)
(Telegraphic.) R. *Athens, March 27, 1923.*

YOUR telegram No. 36.

Ministry for Foreign Affairs, after making enquiries, request me to give categorical denial to Turkish allegations. They state that no Turkish prisoners have or will be condemned to death, and that Greek Government are faithfully carrying out convention for exchange. As regards Cretan, Ministry for Foreign Affairs ask for details. On the face of it, it is difficult to see justification for Turkish intervention, as he is presumably a Greek subject.

No. 515.

Sir H. Rumbold to the Marquess Curzon of Kedleston.—(Received March 28.)

(No. 200.)
(Telegraphic.) *Constantinople March 28, 1923.*

ACTING Italian High Commissioner states that Italian agent of ex-Khedive has asked him to approach me with a view to procuring permission for ex-Khedive to return to Constantinople on the ground that he wishes to look after his property near Adalia. Ex-Khedive is now at Lausanne. I replied that I deprecated ex-Khedive's return here at present juncture, as he would be sure to intrigue, but that I would refer matter to you.

Ex-Khedive evidently thinks that we can prevent his return here, but I have no practical means of doing so, short of having him arrested by British military authorities on arrival. This seems to me undesirable. I think it would be sufficient if you agree that I should tell Acting Italian High Commissioner that we deprecate ex-Khedive's return here, and hope that Italian authorities will not give him facilities for that purpose.

No. 516.

The Marquess Curzon of Kedleston to Sir H. Rumbold (Constantinople).

(No. 95.)
(Telegraphic.) R. *Foreign Office, March 28, 1923.*

MY immediately following telegram contains text of note drawn up in French in reply to Ismet Pasha's note of 8th March to the Allied Ministers for Foreign Affairs. This reply, which is to take the form of identic notes signed by the respective Ministers for Foreign Affairs, and, in the case of Japan, by the Japanese Ambassador here, in the name of his Government, was approved at the final meeting of the Allied representatives here yesterday subject to acceptance by the respective Governments. You are therefore authorised to communicate it to Adnan Bey for transmission to Ismet Pasha, as soon as your French, Italian and Japanese colleagues receive similar instructions.

It is proposed to publish the note here the day after we receive a telegram from you reporting its communication to Adnan Bey.

Unanimous reports of the three committees on the Turkish counter-proposals and copies of the minutes of the two plenary meetings of 21st March and 27th March follow by bag of 2nd April.

(Addressed to Constantinople, No. 95; repeated to Paris, No. 157 (by bag), and Rome, No. 80.)

No. 517.

The Marquess Curzon of Kedleston to Sir H. Rumbold (Constantinople)

(No. 96.)
(Télégraphique.) *Foreign Office, March* 28, 1923.
Excellence,

LES Gouvernements de Grande-Bretagne, de France, d'Italie et du Japon ont soigneusement examiné la note jointe à la lettre que vous leur avez adressée le 8 mars à l'effet de proposer certaines modifications au projet des traités de paix et aux conventions et déclarations annexés qui ont été soumis à la délégation turque à Lausanne le 31 janvier dernier.

Ces Gouvernements ne désirent pas entrer, pour le moment, dans une discussion de détail des diverses propositions que votre Excellence a présentées, non plus que des arguments invoqués à l'appui. Ils ne peuvent toutefois s'empêcher d'exprimer leur surprise que votre Excellence ait remis en discussion diverses questions que vous aviez vous-même acceptées comme réglées dans les lettres adressées par vous aux délégations britannique, française et italienne à Lausanne le 4 février dernier, et qu'en outre vous avez inséré parmi vos contre-propositions plusieurs projets d'articles qui soulèvent des questions entièrement nouvelles. Néanmoins, dans leur vif désir de hâter la conclusion d'une paix juste et durable entre la Turquie et les hautes parties contractantes, les Puissances invitantes sont disposées à constater immédiatement qu'elles sont prêtes à discuter les divers points soulevés dans la note de votre Excellence et dans les contre-propositions qui y sont annexées, sous réserve, bien entendu, de la liberté de leurs décisions à la suite de cette discussion, et à l'exception toutefois de toute proposition non formulée dans votre note du 4 février qui tendrait à une modification substantielle des stipulations territoriales convenues.

D'autre part, comme votre Excellence paraît attacher une importance spéciale à la réciprocité des stipulations qui font l'objet de la convention d'établissement et de compétence judiciaire, les Puissances invitantes sont heureuses d'assurer votre Excellence qu'elles acceptent en principe de procéder à nouveau à la rédaction de cette convention, en vue de reconnaître à la Turquie le bénéfice de la réciprocité de telle manière et dans telle étendue qu'il sera jugé possible de le faire en pratique.

En même temps, les Puissances invitantes sont d'avis qu'il n'y a pas lieu de rouvrir la discussion sur aucun des articles du projet de traité du 31 janvier qui sont maintenus sans modification par votre Excellence dans la note jointe à sa lettre du 8 mars, à moins toutefois qu'une modification dans d'autres parties du traité n'entraîne comme conséquence des modifications dans les articles acceptés. En second lieu, alors que les Puissances invitantes sont prêtes à faire tous leurs efforts pour concilier le contre projet turc de déclaration concernant l'administration de la justice en Turquie figurant parmi les contre-propositions comprises dans votre lettre, avec le projet originaire allié du 3 février sur ce sujet, ces Puissances ne doivent pas cependant être regardées comme engagées par aucun des changements dans le projet de déclaration alliée qui ont pu être suggérés après la réunion tenue par les plénipotentiaires britanniques, français, italiens et turcs à l'Hôtel Beau-Rivage le 5 février au soir.

Il y a un autre point sur lequel les Gouvernements des Puissances invitantes désirent élucider leur position. Dans la note de votre Excellence, vous proposez que les clauses économiques soient disjointes du traité et deviennent, après la signature de celui ci, l'objet de négociations entre les parties intéressées. Comme votre Excellence le sait, le projet d'articles que les Puissances invitantes ont présenté après de longues discussions avec la délégation turque comprend des matières dans lesquelles leurs intérêts vitaux et ceux de leurs nationaux sont en jeu. Si, par conséquent, les Puissances invitantes déclarent maintenant qu'elles sont prêtes à discuter les contre-propositions que votre Excellence a présentées, il doit être bien entendu que ces discussions porteront également sur les clauses économiques. Les Puissances invitantes croient, d'ailleurs, qu'il serait possible, au cours de nouvelles négociations et au moyen de quelques concessions mutuelles, d'arriver à une entente sur les clauses de cette nature à insérer dans le traité.

Quelques-unes de ces clauses ont pour objet de fixer d'un commun accord des règles assurant en Turquie aux ressortissants des Puissances alliées et aux sociétés où leurs capitaux sont engagés la sauvegarde de leurs droits acquis et de leurs intérêts compromis par les événements survenus depuis 1914, ainsi que la

réadaptation de leurs contrats aux conditions économiques nouvelles résultant de ces événements. A l'effet de hâter la solution de cette importante question, les Gouvernements des Puissances alliées ont invité ceux de leurs nationaux qui y sont intéressés à entrer eux mêmes en négociations avec le Gouvernement turc en vue d'arriver à des arrangements conclus avec ce Gouvernement sur la base des dispositions qui ont été insérées dans le projet du traité de paix. Si ces négociations aboutissent à un heureux résultat, les Gouvernements des Puissances alliées ayant constaté la conclusion des arrangements intervenus, les dispositions actuellement consacrées au même sujet dans le projet de traité auront perdu leur raison d'être et la conclusion de la paix paraîtrait devoir en être grandement facilitée. Ce serait seulement dans le cas où les arrangements envisagés n'interviendraient pas en temps utile que les Gouvernements des Puissances alliées devraient s'en tenir à l'insertion dans le traité lui même de dispositions détaillées se rapprochant de celles inscrites au projet du 31 janvier dernier, afin de sauvegarder ainsi les intérêts vitaux de leurs ressortissants.

Pour le surplus, il sera possible de traiter quelques-uns des autres articles des clauses économiques d'une manière plus générale, en laissant au besoin certains détails à régler par des négociations ultérieures entre le Gouvernement turc et chaque Gouvernement intéressé.

Sous réserve des observations ci dessus concernant les modifications territoriales, les clauses économiques et la déclaration judiciaire, les Gouvernements des Puissances invitantes ont l'honneur de suggérer à votre Excellence que vous envoyiez des représentants pour reprendre des négociations à Lausanne aussitôt que possible avec des représentants des autres hautes parties contractantes.

Les Puissances invitantes sont convaincues qu'en y apportant de part et d'autre une égale bonne volonté, il sera possible de conclure la paix sans difficulté, et elles prennent note avec plaisir des assurances que votre Excellence leur a données du désir qu'en a et des vœux que forme dans ce sens le Gouvernement turc; elles partagent ses sentiments et son espoir et tiennent ces dispositions communes comme de bon augure pour le succès de la conférence à reprendre à Lausanne.

(Repeated to Rome, No. 81; copy to Paris.)

No. 518.

The Marquess Curzon of Kedleston to Sir H. Rumbold (Constantinople).

(No. 97.)
(Telegraphic.) R. *Foreign Office, March* 28, 1923.

YOUR telegram No. 170 of 14th March: Negotiations by private concessionnaires.

M. Bompard has now explained here that M. Poincaré's proposal is really as follows:

The French, Belgian, Italian and British companies who had concessions in Turkey before the war and who would have claims under articles 94 and 80 for the confirmation of their concessions and, if necessary, their readaptation and prolongation, should at once send representatives to Constantinople or Angora to negotiate on general lines the principles of the settlement regarding the above matters. The agreement, so negotiated, would take the form of two or three articles, containing in any case a general statement of principle. If these negotiations were begun at once and proceed concurrently with the reamed negotiations for the Treaty of Peace, the Allies should be able to obtain a clear idea before the close of the latter whether in fact the Turkish Government could be relied upon to give their nationals proper treatment. If toward the close of the resumed general peace negotiations the special negotiations with the concessionnaires had not reached a satisfactory conclusion, the Allies would have to insist on inserting in the general peace treaty a number of articles containing the same stipulations of general principles as would have formed the content of the suggested separate agreements between Angora and the several concessionnaires. The intention of the Allies to do this would be made clear at the outset of the resumed peace negotiations to the Turks, who would thus realise the advantages of concluding practical arrangements with the concessionnaires themselves. The negotiations with the latter would be

rigidly confined to companies who actually had concessions before the war and have a just claim for their maintenance and possible prolongation or readaptation within the terms of the existing draft treaty.

Apparently French concessionnaires have already entrusted their interests to selected representatives who are ready to proceed with such negotiations, but have not been allowed to start operations pending agreement among the Allies.

After full consideration, I have decided to assent to M. Poincaré's proposal and have so informed M. Bompard. I am also informing the Belgian Ambassador here of the proposal, as it is agreed that the Belgian companies concerned should be included in the group of private interests who are to negotiate with Angora

We are arranging to explain the proposals to representatives of the British companies mainly concerned, such as the Smyrna–Aidin Railway Company, the National Bank, Smyrna Gas Company, Constantinople Telephone Company, Vickers', and the Quays Company, which is partly French. We will propose that the companies should either send out representatives or depute representatives already at Constantinople or Smyrna to meet the French and Belgian representatives concerned at Constantinople and concert together as to the procedure to be followed.

A reference to this effect is being included in the reply to Ismet's note of 8th March.

Copy of this telegram is being given to M. Bompard and the Marquis Garroni.

Since the above was drafted the British interests have been consulted and have accepted the proposal. They are sounding Sir H. Lamb as to whether he will act as a kind of general secretary and liaison officer for the different firms. While prepared to go to Constantinople, and even favouring it, representatives all expressed great dislike of idea of going to Angora They hope Turks can be induced to send experts with real technical knowledge and powers to Constantinople to conclude definite arrangements there

(Repeated to Brussels, No. 59.)

No. 519.

Mr. Bentinck to the Marquess Curzon of Kedleston.—(Received March 29.)

(No. 108.)
(Telegraphic.) R. *Athens, March 28, 1923.*

YOUR telegram No. 37 to Athens.

I have acted as suggested. Ministry for Foreign Affairs are doing their utmost to arrange matter, but Ministry of Relief are at their wits' end to find room for all the 5,000, unexpected arrival of refugees from Mersina having upset calculations. Further information has been promised me to-morrow.

([?] Addressed to Constantinople.)

No. 520.

Acting Consul, Jeddah, to the Marquess Curzon of Kedleston.—(Received March 29.)

(No. 11.)
(Telegraphic.) *Jeddah, March 8, 1923.*

YOUR telegram No. 7.

Since Sultan's arrival he has only communicated with this agency through Ministry for Foreign Affairs, Mecca, and I have no opportunity of private correspondence with him.

I understand that his relations with King Hussein are stiffly courteous, but not cordial. There is an obvious clash between pastimes and temperaments of both. King Hussein is overwhelmingly majestic, and local rumour of his designs on Caliphate would not favourably impress ex-Caliph.

But I doubt occurrence of any dramatic incident or necessity to seek for other cause of Sultan's uneasiness than his depression at separation from his household and at lack of all amenities and actual physical discomforts of life in Hedjaz, while, with no distractions, he feels doubly exiled.

He will be sure to await letter from his daughter referred to in my telegram No. 10 before deciding anything. Do you think it expedient when replying to his telegram to Malta to suggest Switzerland rather than Haifa as a summer residence for his family ?

(Sent to Constantinople.)

No. 521.

The Marquess Curzon of Kedleston to Sir H. Rumbold (Constantinople.)

(No. 103.)
(Telegraphic.) *Foreign Office, March 29, 1923.*

ACTION suggested in final paragraph of your telegram No. 200 of 28th instant re return of ex-Khedive to Constantinople is approved.

No. 522.

Mr. Bentinck to the Marquess Curzon of Kedleston.—(Received March 30.)

(No. 110.)
(Telegraphic.) R. *Athens, March 28, 1923.*

MY telegram No. 60.

Ministry for Foreign Affairs state that 500 refugees have already arrived from Constantinople. Besides these about 750 have come from Mersina, and another 700 from Amisos. This makes about 5,000 in all. Greeks do not consider this indicates failure on their part to carry out proposed arrangement as suggested in your telegram No. 37

(Addressed to Constantinople, No 61 ; repeated to Foreign Office.)

No. 523.

Sir H. Rumbold to the Marquess Curzon of Kedleston.—(Received March 30.)

(No. 206.)
(Telegraphic.) D. *Constantinople, March 30, 1923.*

MY telegram No. 195, paragraph 1.

Turkish press here and at Angora has grown restless in last few days. There has been tendency to accuse Allies, collectively or individually, of taking up attitude at Conference of Experts calculated to destroy chances of peace. This tendency has been stimulated by press telegrams regarding proceedings of experts which represent Governments as engaged not so much in providing basis for negotiations as in taking "decisions" regarding Turkish counter-proposals.

More concrete expression has been given to above-mentioned tendency in telegram issued yesterday by Anatolian agency, which is semi-official. My immediately following telegram gives substance

Such publications are doubtless to large extent inspired, and I think there is much nervous bluff behind them. Nevertheless, I fear atmosphere of Grand National Assembly is unhealthy. There are rumours of much discontent in army with policy of Angora Government, and Russians are said to be working actively against Kemal and against peace on basis of acceptance of what was settled at Lausanne.

I consider these rumours exaggerated, but they cannot be altogether disregarded.

No. 524

Sir H. Rumbold to the Marquess Curzon of Kedleston.—(Received March 30.)

(No. 207.)
(Telegraphic.) R. *Constantinople, March 30, 1923.*

FOLLOWING is Anatolian Agency message referred to in my telegram No. 206:—

Unfavourable impression has been created in Angora circles, and especially in Assembly, by news regarding tendencies and decisions of Experts' Conference and by statements attributed to French and British statesmen. Threats and propaganda, together with reported intention to reject Turkish demands, which are moderate and minimum, and to deliver united challenge to Turkey and deprive her of her national rights, are giving Deputies impression that Allies do not [? group omitted] conclude peace and are creating conviction that things will inevitably end in war.

Many Deputies think situation due to Allied misinterpretation of conciliatory disposition of Grand National Assembly as being sign of weakness, and to hope that strong Allied attitude will lead to further concessions. Practically all circles in Assembly say that owing to this frame of mind on the part of Allies early conclusion of peace is impossible. There is definite conviction that Powers who are said to contemplate recession even from what was settled at Lausanne are not animated with goodwill, and that even if further concessions were made they would remain unconciliatory and put forward fresh demands. Idea is becoming general that there is no utility in further conference.

No 525.

The Marquess Curzon of Kedleston to Sir H. Rumbold (Constantinople).

(No. 105.)
(Telegraphic.) *Foreign Office, March 30, 1923.*

YOUR telegram No. 197 of 27th March: Venue of conference.

You will have seen that Lausanne has finally been decided upon, mainly on the grounds which you so cogently urged.

While regretting the personal inconvenience to which I fear this may put you, I must ask you to hold yourself in readiness to proceed to Lausanne, as head of the British delegation, as soon as a date is fixed This can probably be done as soon as Ismet replies to the Allied note. Mr. Ryan should accompany you. The rest of the staff will be supplied from here

As Sir Adam Block is president of the Debt Council this year, we will endeavour to arrange to do without his valuable services. We will only ask him to go to Lausanne if and when his presence is found indispensable. Should financial facts or figures be required from him we can obtain them in writing or by telegraph from Constantinople.

No. 526.

The Marquess Curzon of Kedleston to Mr. Phipps (Paris).

(No. 159.) [By Bag.]
(Telegraphic.) *Foreign Office, March 30, 1923.*

YOU should propose to the Quai d'Orsay that, in view of the probable early resumption of negotiations with the Turks at Lausanne, M. Massigli, as Secretary-General of the Conference, should communicate soon with the Swiss authorities concerned with a view to the provision of suitable rooms for the accommodation of the committees, &c., of the conference.

No. 527.

Sir H. Rumbold to the Marquess Curzon of Kedleston.—(Received March 31.)

(No. 208.)
(Telegraphic.) *Constantinople, March 30, 1923.*

MY telegram No. 206.

Leafield wireless news received here yesterday follows up communiqué issued at close of meeting of experts with "later" news purporting to give gist of conclusions reached by experts and representing them as definite decisions very unfavourable to Turkey. To anyone not understanding nature of Leafield service this looks like official news from London. It has received equal prominence with communiqué. Nothing could be more calculated to encourage tendency described in my telegram under reference. Damaging effect has been increased by fact that local English paper, apparently through inadvertence, printed edition as being also official.

Harm done may be great if anything happens to delay delivery of Allied note, regarding which my colleagues have not yet received instructions. I have therefore issued statement that only official news is that given in communiqué and that nothing else should be credited pending reply of Allied Governments to Turkish counter-proposals.

Can anything be done to prevent circulation by Leafield of news so calculated to influence opinion here and at Angora?

No. 528.

Mr. Phipps to the Marquess Curzon of Kedleston.—(Received March 31.)

(No. 350.) [By Bag.]
(Telegraphic.) *Paris, March 30, 1923.*

YOUR telegram No. 95 to Constantinople.

French Government have authorised General Pellé to communicate note to Adnan Bey directly his Allied colleagues receive similar instructions.

No. 529.

Sir A. Geddes to the Marquess Curzon of Kedleston.—(Received March 31.)

(No. 173.)
(Telegraphic.) R. *Washington, March 30, 1923.*

MY telegram No. 94 and my telegram No. 151.

Further article on similar lines appeared in "Washington Post" to-day, also alleging that Chester concession has been reaffirmed by executive Turkish Government under date 1909, thus ante-dating British concession, though sanction of Turkish Parliament has still to be obtained.

Copy of article by bag to-day.

No. 530.

Sir H. Rumbold to the Marquess Curzon of Kedleston.—(Received March 31.)

(No. 209.)
(Telegraphic.) D. *Constantinople, March 31, 1923.*

YOUR telegram No. 95.

French High Commissioner communicated to me to-day telegram from President of the Council stating that French reply, signed by President of the Council, to Ismet Pasha's note of 8th March would reach Constantinople next Tuesday by bag. On receipt of this note he was to arrange with his Allied colleagues for delivery of note. French High Commissioner said that these instructions put him in a most embarrassing position, as he knew that Italian and Japanese High Commissioners as

well as I were ready to communicate note at once. Moreover, local press was also aware that non-receipt by French High Commissioner of instructions from Paris was delaying delivery of note. In these circumstances he had decided on his own responsibility to hand in text of reply which I had communicated to him, and we arranged to hand note to Adnan Bey this afternoon.

No. 531.

Sir H. Rumbold to the Marquess Curzon of Kedleston.—(Received March 31.)

(No. 210.)
(Telegraphic.) R. *Constantinople, March 31, 1923.*

YOUR telegram No. 95.

Note was handed to-day to Mustafa Bey by Allied High Commissioners individually.

Adnan informed me that he thought Ismet Pasha would be in charge of Turkish delegation.

No. 532.

Sir H. Rumbold to the Marquess Curzon of Kedleston.—(Received March 31.)

(No. 211.)
(Telegraphic.) *Constantinople, March 31, 1923.*

MY telegram No. 206.

Further proof of tenseness of internal political situation in Angora is afforded by mysterious disappearance on 27th March of Ali Shukri, Deputy for Trebizond, editor of "Tan," and one of leaders of second group (see my despatch No. 147).

His friends assume that he has been the victim of political crime, and have created storm in the Assembly. Great publicity has been given to the incident here. This is probably due to fact that the Government dared not stifle it; but there is also tendency on the part of supporters of Mustafa Kemal to use threatening tone here towards his opponents.

I have been unable to obtain further information about alleged movement in the army.

No. 533.

Sir H. Rumbold to the Marquess Curzon of Kedleston.—(Received March 31.)

(No. 212. Confidential.)
(Telegraphic.) *Constantinople, March 31, 1923*

MY telegram No. 193.

Colonel Mougin has telegraphed to French High Commissioner to say that M. Steeg is profoundly dissatisfied with result of his visit to Angora. The Turks had opened their mouths very wide. I gathered from French High Commissioner that M. Steeg went to discuss prolongation of bank's concession, as also question of advances made to late Ottoman Government.

French High Commissioner tells me that he was opposed to M. Steeg's journey, and had warned M. Steeg that the Angora Government would no doubt ask for an advance from the Ottoman Bank. M. Steeg said that in that case he would reply that he must refer to London and Paris committees. In informing me that M. Steeg left Angora yesterday, French High Commissioner said, with evident satisfaction, that M. Steeg's rebuff would teach the latter a lesson.

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MPK 229

PUBLIC RECORD OFFICE.

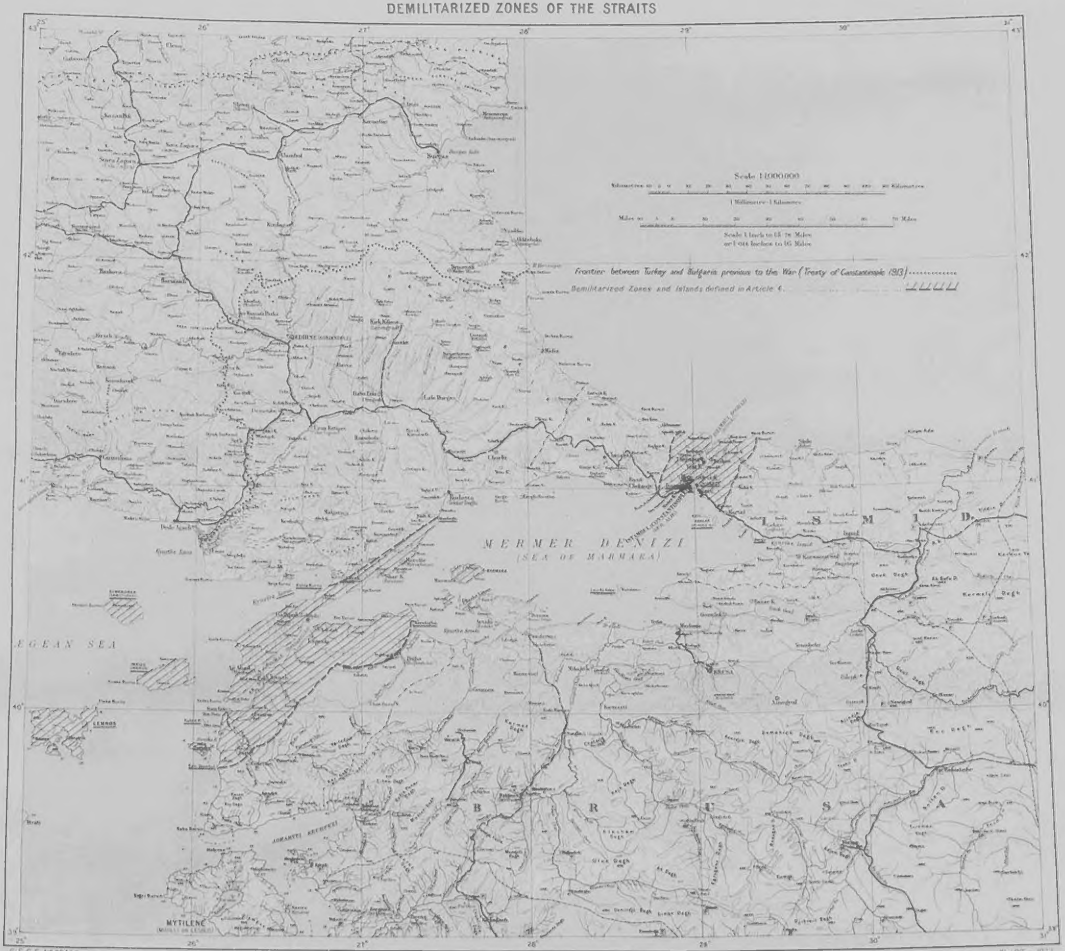
File
~~One~~ Documents being (1) map of demilitarized zone in Thrace.
(2) map of demilitarized zones of the Straits.
(3) map of the Islands. (No.2)
(4) map of the Gallipoli Peninsula (No.3)
(5) map of Turkey in Europe (No.1)

we has been removed to MPK 229

10: 2.68 A.A.H. Knightbridge.

PUBLIC RECORD OFFICE, LONDON

DEMILITARIZED ZONES OF THE STRAITS


Scale 1:1000000
1 Millimetre=1 Kilometre
Scale: 1 Inch to 15·78 Miles
or 1·044 Inches to 16 Miles
Frontier between Turkey and Bulgaria previous to the War (Treaty of Constantinople 1913)
Demilitarized Zones and Islands defined in Article 4.
MERMER DENIZI
(SEA OF MARMARA)
AEGEAN SEA
LEMNOS
MYTILENE
(MOLLY OR LESBOS)
IMBROS
SAMOTHRACE
BRUSA
ADRAMYTI
ERDEK
KARABIGA
Kara Dagh
Ida Dagh
Kaz Dagh
Karmali Dagh
Yeni Dagh
Demirdji Dagh
Linar Dagh
Sivas Dagh
Kirkagatch
Ak Dagh
Kurt Dagh
Kirk Kilisse
Lule Burgas
Baba Eskissi
Dedeagatch
Gumurdjina
Ferejik
Rodosto
Tchorlu
Silivri
Chatalja
Constantinople
Scutari
Ismid
Panderma
Balikesri
Soma
Kirkagatch
Adrianople
Demotika
Xanthi
Gumuld

MAP Nº 2

THE ISLANDS

1:1000.000

Scale 1:1000000

Kilometres 10 0 10 20 30 40 50 60 70 80 90 100 110 120 Kilometres

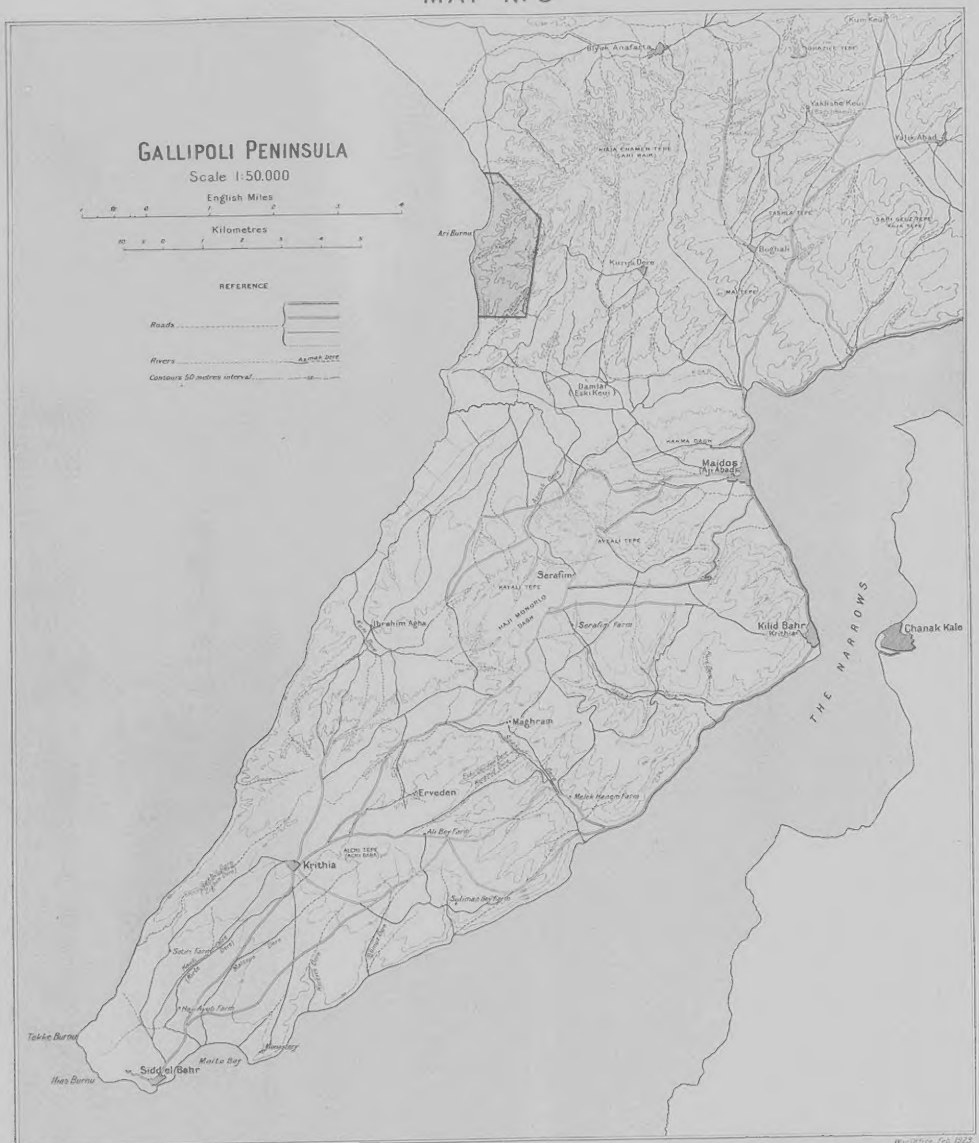
1 Millimetre = 1 Kilometre

Miles 10 0 10 20 30 40 50 60 70 80 90 Miles

Scale 1 Inch to 15.78 Miles
or 1 cm to 9.98 Miles

FO 42

MAP Nº 3

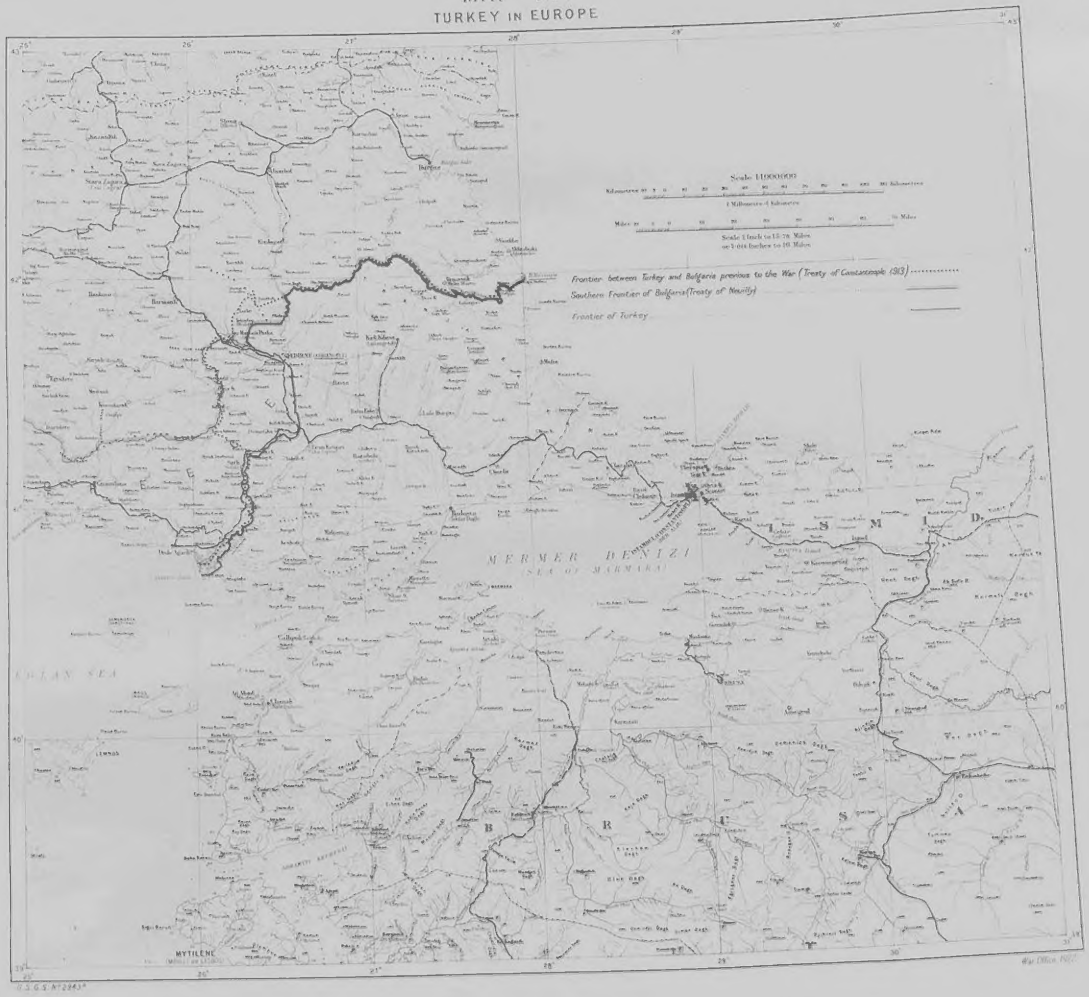


G.S.G.S. Nº 2948

War Office, Feb. 1923

MAP No. 1

TURKEY IN EUROPE



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